INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM

For ER # EID-0170-2020

Minor modifications have been made to this Initial Study/Mitigated Negative Declaration (IS/MND) in response to public comments about the proposed project. These modifications do not require recirculation of this IS/MND because the edits regarding biological resources and hydrology constitute minor modifications and clarifications to an adequate MND, provide evidence substantiating the conclusions of the IS/MND, and do not include significant new information that would result in a new significant environmental impact or a substantial increase in the severity of a significant environmental impact. All new text is indicated by: ***underlined, bold, and italicized text***. Deleted text is indicated by: ~~strike-through~~.

1. **Project Title:**

   468-500 Westmont Drive Tentative Tract Map

2. **Lead Agency Name and Address:**

   City of San Luis Obispo
   919 Palm Street
   San Luis Obispo, CA 93401

3. **Contact Person and Phone Number:**

   Kyle Van Leeuwen, Assistant Planner
   (805) 781-7091

4. **Project Location:**

   468 and 500 Westmont Drive (APN 052-496-001), San Luis Obispo, CA (project site)

5. **Project Sponsor's Name and Address:**

   Andrew Gareth Meinhold and Timothy James Meinhold
   1950 Bridle Ridge Trail
   San Luis Obispo, CA 93405

6. **General Plan Designations:**

   Low Density Residential

7. **Zoning:**

   R-1 (Low Density Residential)

8. **Description of the Project:**

   The 468-500 Westmont Drive Tentative Tract Map Project (project) is a request to the City of San Luis Obispo (City) for a Tentative Tract Map (TR 3157) for the subdivision of one existing parcel (Assessor's Parcel Number [APN] 052-496-001) totaling 4.98 acres into 23 individual parcels meant to facilitate residential development on land in the R-1 (Low Density Residential) zone. The new parcels would range in size from 6,000 to ~~22,783~~***24,451*** square feet (sf) and would be located at 468 and 500 Westmont Drive, at the northern edge of the city limits (Figure 1). Access improvements would include a proposed 54- to 60-foot-wide access road beginning at the existing

terminus of Stanford Drive and looping east to connect with the existing terminus of Cuesta Drive. The variation in the road width accounts for existing widths of Cuesta and Stanford Drives. This access road would provide access to Lots 4–16 and 19–23. Lots 1–3 would take access from a shared driveway off the western terminus of Westmont Avenue and Lots 17 and18 would be accessed from the eastern terminus of Westmont Avenue. Parking for the tract would be provided onsite, and each residential lot is designed to accommodate the required two parking spaces for each lot. The development proposes a connection to the existing waterline on Stanford Drive and looping it around to Cuesta Drive. An additional water line from Westmont Avenue would connect to Cuesta Drive through an easement across Lot 15. A 17-foot-wide, asphalt-concrete (AC) easement across Lot 15 from Westmont Avenue to Cuesta Drive is proposed for drainage, utility, and bicycle/pedestrians. A drainage basin is also proposed within the easement. A design exception for the easement (bicycle pathway) is requested as the current slope is 9 percent, which exceeds the standard of 8 percent. A proposed 15-foot-wide sewer line easement is proposed along the western property line of Lot 10. There is an existing sewer line that extends across Lot 10 that would be relocated within the proposed easement. A fire lane easement is proposed across Lots 1–3 that would be used for emergency vehicle access and would contain a sewer line that serves Lots 1-3. A 10-foot-wide public utility easement is proposed along the frontages of Lots 4–16 and 19–23. A 10-foot-wide Pacific Gas and Electric Company (PG&E) easement is proposed along the rear yards of Lots 3 and 7–18 and an additional PG&E easement is proposed along the western edge of Lots 1–3. Drainage easements are proposed along Lots 4, 15, and 19–23 and would be designed to comply with the City's Low Impact Development (LID) requirements. Proposed drainage measures include an 85^{th} percentile retention area, a 95^{th} percentile retention area, and Filterra and Biofiltration treatment. Four-foot retaining walls located in the rear or side yards would be provided for slope stability on Lots 1-5 and 8-23. Additional 3-foot retaining walls would be provided on Lots 8 and 9 for wildland protection. (See Attachment 2.)

The project includes a phasing plan that would allow for the final map recordation into three phases, as allowed under Section 66456.1 of the Government Code. Phase one would include Lot 1, Lot 2, ***Lot 3,*** Lot 17, and Lot 18. Phase two would include Lots 4 through 10 and Lots 21 through 23. Phase three would include Lot 11 through 16, Lot 19, and Lot 20.

Table 1 summarizes existing and proposed characteristics for the proposed lots.

Table 1. Existing and Proposed Parcel Characteristics

Parcel	Size (total)	Slope	Site Conditions and Improvements
Existing Parcel	4.98 acres	8%	• Two residential units with a shared carport • Accessed by a private driveway from Stanford Drive • Ornamental/ruderal vegetation associated with the developed area • Onsite creek with associated wetland and riparian areas in the western portion of the property • Annual grassland with Cambria morning glory (*Calystegia subacaulis* ssp. *episcopalis*) (300 plants)
Proposed Lots 1–3	1.044 acres (45,484 sf)	8%	• Three proposed lots located on the western portion of the property • Accessed by a proposed common driveway from Westmont Avenue from the east • Proposed 20-foot setback from the riparian edge • Proposed 4-foot retaining wall in rear or side yards

			• Two proposed stormwater chambers with 95th percentile retention area (assume 1 foot of ponding) • Proposed 10-foot-wide PG&E easement along the rear portion of Lot 3 • Proposed fire lane easement across Lots 1–3 • Existing onsite creek with associated riparian and wetland vegetation • Existing rock outcropping between Lots 1 and 2 • Existing trees, annual grassland, and occurrences of Cambria morning glory
Proposed Lots 4–7	0.619 acres (26,984 sf)	8%	• Four proposed lots located on the central western portion of the property • Accessed by a proposed 54- to 60-foot interior road from Stanford Drive to Cuesta Drive • Proposed 20-foot setback from the riparian edge • Proposed 4-foot retaining wall in rear or side yards of Lots 4 and 5 • Proposed Biofiltration treatment within proposed road • Existing onsite creek with associated riparian and wetland areas • Existing occurrences of Cambria morning glory and annual grassland
Proposed Lots 8–14	0.836 acres (36,434 sf)	8%	• Seven proposed lots located in the central northern portion of the property • Accessed from a proposed 54- to 60-foot interior road from Stanford Drive to Cuesta Drive • Proposed Filterra system within the proposed road • Proposed 15-foot-wide sewer easement on Lot 10 for sewer lines and emergency access • Proposed 10-foot-wide PG&E easement along the rear portion of Lots 7–14 • Proposed 4-foot retaining wall in rear or side yards with an additional 3-foot wall for Lots 8 and 9 • Existing residential units with common carport and ruderal vegetation • Existing annual grassland and trees
Proposed Lots 15–16	0.275 acres (12,000 sf)	9%	• Two proposed lots located in the eastern portion of the property • Accessed from a proposed 54- to 60-foot interior road from Stanford Drive to Cuesta Drive

			• Proposed 17-foot-wide utility, drainage, and bicycle/pedestrian easement across Lot 15 • Proposed 85th percentile retention area within the proposed easement • Proposed Filterra system adjacent to Lot 16 within the proposed road • Proposed 10-foot-wide PG&E easement along the rear portion of lots • Proposed 4-foot retaining wall in rear or side yards • Existing annual grassland and trees
Proposed Lots 17–18	0.288 acres (12,534 sf)	8-9%	• Two proposed lots located in the eastern portion of the property • Accessed from Westmont Avenue from the west • Proposed connection to the existing water main in Westmont Avenue • Proposed 10-foot-wide PG&E easement along the rear portion of Lots 7–14 • Proposed 4-foot retaining wall in rear or side yards • Existing annual grassland and trees
Proposed Lots 19–23	0.789 acres (34,389 sf)	8%	• Five proposed lots located in the central southern portion of the property • Accessed from a proposed 54- to 60-foot interior road from Stanford Drive to Cuesta Drive • Proposed 85th percentile retention area at the rear end of the lots • Proposed Filterra system adjacent to Lot 23 and a separate system located adjacent to Lot 19 within the proposed road • Proposed 4-foot retaining wall in rear or side yards • Existing annual grassland and trees

Note: Refer to Figure 3 for proposed lot locations.

The project site is generally surrounded by one- and two-story residential units to the south, east and west. There is undeveloped residential land to the north of the project site and California Department of Forestry and Fire Protection (CAL FIRE) Station #12 located directly northeast.

There is a freshwater forested/shrub wetland with an associated riparian habitat that extends through the western portion of the project area that would be located at the rear (eastern) end of Lots 1–3 and the rear (western) end of Lots 4–8. The freshwater forested/shrub wetland connects to a freshwater emergent wetland located on undeveloped land to the north of the project site. The site is generally comprised of developed/ruderal land, riparian habitat, and annual grassland. There are 177 ornamental and native trees throughout the project site, a rock outcropping between Lots 1 and 2, and presence of Cambria morning glory (*Calystegia subacaulis* ssp. *episcopalis*; a rare plant species) on Lots 3–6.

The project would demolish two existing residential structures and several accessory structures to accommodate the tract improvements.

To accommodate the onsite improvements, 86 ornamental and native trees would be removed. Acacia trees located in riparian areas would be removed; however, the project proposes to replace Acacia trees with native vegetation, including toyon (*Heteromelis arbutifolia*) or oaks. Proposed improvements would result in 4.27 acres of groundwork, which includes 7,900 cubic yards (cy) of cut and 4,760 cy of fill.

No residential development on the new parcels is proposed at this time, but it is anticipated that each new parcel will be developed as a single-family residential use, for a total of 23 single-family residential units. Each single-family residential property has the potential to include an accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU), as an accessory use to the single-family residential use.

9. Project Entitlements:

Development Review
Tree Removal Permit

10. Surrounding Land Uses and Settings:

Surrounding uses and stories of surrounding buildings are summarized below:

- North: undeveloped residential land and CAL FIRE Station #12
- East: one- and two-story single-family residences; apartments beyond
- South: one- and two-story single-family residences
- West: one- and two-story single-family residences

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Native American tribes were notified about the project consistent with City and State of California (State) regulations including, but not limited to, Assembly Bill (AB) 52. A representative from the Salinan tribe requested a cultural resource specialist from their tribe be onsite to monitor all ground disturbing activities, and this measure has been included as a mitigation requirement (see Section 18, Tribal Cultural Resources).

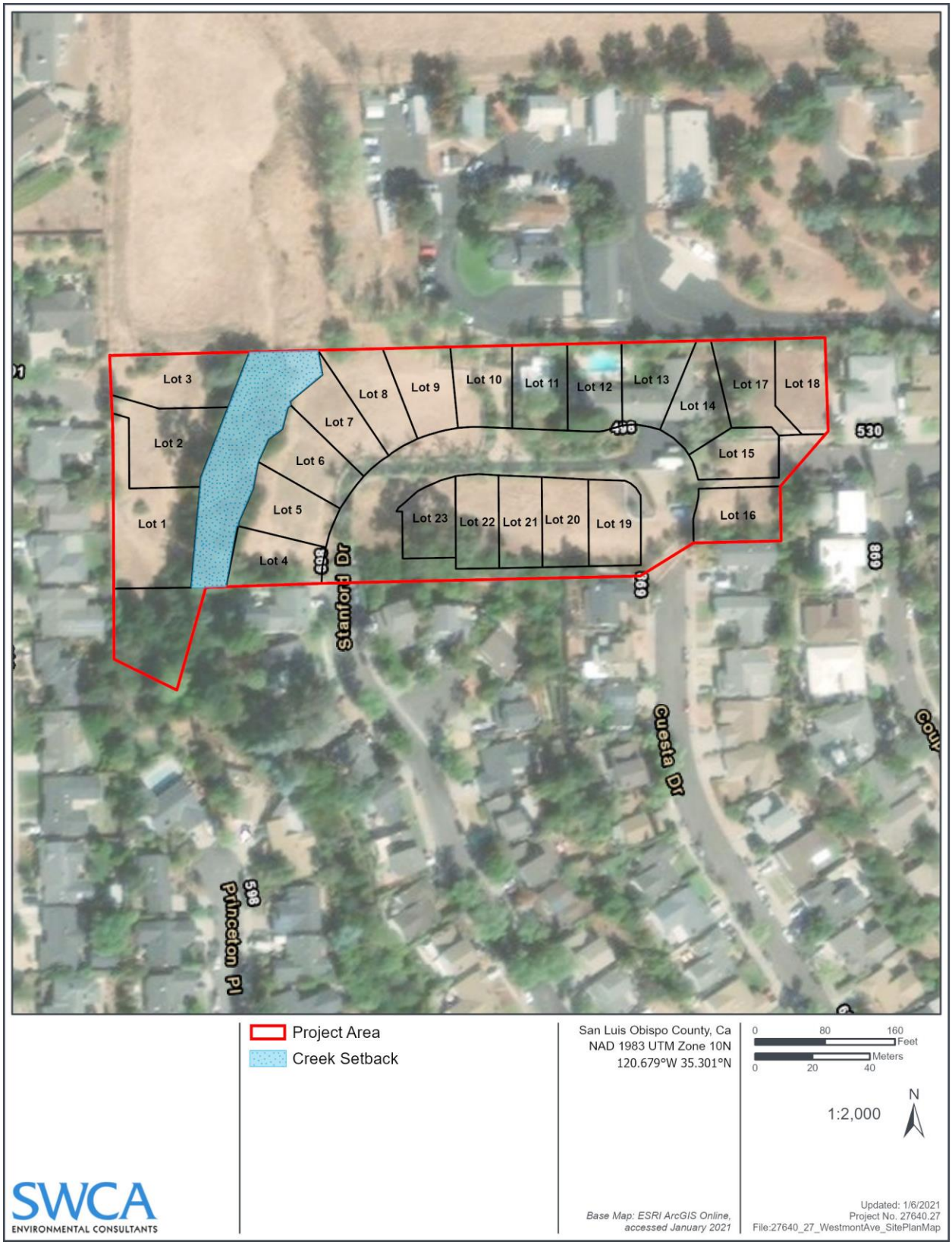
12. Other public agencies whose approval is required:

San Luis Obispo Air Pollution Control District (SLOAPCD)
California Department of Fish and Wildlife
Regional Water Quality Control Board
U.S Army Corp of Engineers

Figure 1. Project Vicinity Map

Figure 2. Project Site Map

Figure 3. Site Plan Map



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Note: This revised Initial Study does not identify any new significant impacts and this table has been amended to correctly reflect the determinations identified in the initial analysis.

☐	Aesthetics	☐	Greenhouse Gas Emissions	☐	Public Services
☐	Agriculture and Forestry Resources	☒	Hazards and Hazardous Materials	☐	Recreation
☒	Air Quality		Hydrology and Water Quality	☐	Transportation
☒	Biological Resources	☒	Land Use and Planning	☒	Tribal Cultural Resources
☒	Cultural Resources	☐	Mineral Resources	☒	Utilities and Service Systems
☐	Energy	☒	Noise	☒	Wildfire
	Geology and Soils	☐	Population and Housing	☒	Mandatory Findings of Significance

FISH AND WILDLIFE FEES

☐	The California Department of Fish and Wildlife has reviewed the CEQA document and written no effect determination request and has determined that the project will not have a potential effect on fish, wildlife, or habitat (see attached determination).
☒	The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code. This initial study has been circulated to the California Department of Fish and Wildlife for review and comment.

STATE CLEARINGHOUSE

☒	This environmental document must be submitted to the State Clearinghouse for review by one or more State agencies (e.g. Cal Trans, California Department of Fish and Wildlife, Department of Housing and Community Development). The public review period shall not be less than 30 days (CEQA Guidelines 15073(a)).

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	☐
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made, by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	☒
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	☐
I find that the proposed project MAY have a "potentially significant" impact(s) or "potentially significant unless mitigated" impact(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed	☐
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	☐

Signature

Date

Printed Name

For: Michael Codron,
Community Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact' is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 19, "Earlier Analysis," as described in (5) below, may be cross-referenced).

5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063 (c) (3) (D)). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. The explanation of each issue should identify:

    a) the significance criteria or threshold, if any, used to evaluate each question; and

    b) the mitigation measure identified, if any, to reduce the impact to less than significance

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	1, 4	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, open space, and historic buildings within a local or state scenic highway?	1, 4, 5, 6	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	1, 4, 7	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1, 7	☐	☐	☒	☐

Evaluation

The *City of San Luis Obispo General Plan Conservation and Open Space Element* (COSE) identifies specific goals and policies intended to protect and enhance the city's visual quality and character. Policies in the COSE include, but are not limited to, promoting the creation of "streetscapes" and linear scenic parkways during construction or modification of major roadways, designing new development to be consistent with the surrounding architectural context, and preserving natural and agricultural landscapes. The COSE and *City of San Luis Obispo General Plan Circulation Element* assign scenic value ratings of "moderate" and "high" to several roadways in the city, based on the availability of views of scenic resources from these public viewpoints. According to the Circulation Element, the segment of U.S. Route 101 (US 101) through the city of San Luis Obispo is identified as having moderate and high scenic value. The COSE also identifies Santa Rosa Street, as having moderate to high scenic value; however, neither Westmont Avenue, Stanford Drive, or Cuesta Drive have any scenic designation. The COSE does not identify any "cones of view" or other important scenic vistas in the project site vicinity.

The project is located on land that is zoned R-1 (Low Density Residential) near the northern city limit. The surrounding land uses include one- and two-story residences to the south, east, and west, undeveloped land to the north, and CAL FIRE Station #12 to the northeast. Bishop Peak is prominent to the northwest. The existing parcel supports two existing residential units and a common carport that is accessed by a private Driveway off Stanford Drive. Ruderal vegetation is present onsite surrounding the existing development. The project site includes a freshwater forested/shrub wetland with associated riparian habitat in the western portion of the project site. The project site also includes a rock outcropping and presence of Cambria morning glory, a rare plant species, in the western portion of the project site. The remainder of the site is primarily comprised of annual grassland and ornamental and native trees.

While no specific development proposal has been identified for the site, based on the underlying zoning and proposed parcel sizes, this analysis assumes that future development would consist of residential development. Such development would be subject to development standards identified in Chapter 17.16 Low-Density Residential (R-1) Development Standards and the City's Community Design Guidelines, which are intended to provide for infill projects of high architectural quality that are compatible with existing development.

a) A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. A substantial adverse effect on a scenic vista would occur if the proposed project would significantly degrade the scenic landscape as viewed from public roads or other public areas. Some scenic vistas are officially or informally designated by public agencies or other organizations. Based on the COSE map of scenic roadways and vistas, the project site is not directly located along roadways considered to be of moderate or high scenic value or within the cone of view of a scenic roadway. Santa Rosa Street is the nearest road of scenic value, located

approximately 415 feet east of the project site. Existing development including an apartment complex located at the corner of Westmont Avenue and Santa Rosa Street as well as other residential units would block views of the project from Santa Rosa Street. Residential development is not currently proposed; however, future development would be consistent with existing residential units and would comply with City design and zoning standards; therefore, the project would not affect adversely affect a scenic vista and potential impacts would be *less than significant.*

b) The section of US 101 that extends through the city of San Luis Obispo is classified as an eligible State Scenic Highway but is not officially designated by the California Department of Transportation (Caltrans). Santa Rosa Street eventually turns into State Route (SR) 1 north of the project site, which extends along California's coast. The portion of SR 1 north of the project site is an officially designated Scenic Highway by Caltrans. However, the project site is not visible from either US 101 or SR 1; therefore, impacts would be *less than significant.*

c) The State and City have designated highways that offer scenic views as Scenic Highways. The City has identified US 101 from the southern city limit to Marsh Street as a highway with high scenic value, and between Marsh and Broad Streets and north of California Street as a highway with moderate scenic value. Santa Rosa Street north of Foothill Boulevard and past the northern city limit is designated as having moderate to high scenic value.

The project site is accessed from Santa Rosa Street to Westmont Avenue from the east, Stanford Drive from the southwest, and Westmont Avenue from the west. The Patricia Drive Entrance to the Bishop Peak Trailhead is located 0.5 mile northwest of the proposed project site. Views of the proposed housing tract from Bishop Peak and associated trails would be consistent with current existing views of developed residential units.

Currently, there is no specific development planned for the parcels. It can be assumed that each parcel will be developed as a single-family residential use, with an ADUs and JADUs as potential accessory uses in accordance with State law. Construction of future residences, ADUs, and JADUs may result in additional tree removal, potential earthwork, and impervious surface area; however, the specifics of which are not known at this time. The project currently proposes a subdivision of a single parcel (APN 052-496-001) into 23 lots; grading of the project site; development of a road to connect Stanford and Cuesta Drives; installment of necessary utility, drainage, and bicycle/pedestrian easement; and necessary tree removal. Future residential development on these parcels would need to comply with City ordinances for R-1 (Low Density Residential) development outlined in Sections 17.16 and 17.70 of the City Municipal Code and with the COSE, which outlines view guidelines regarding urban development (Policy 9.1.2). The COSE states that urban development should reflect its architectural context. This does not necessarily prescribe a specific style, but requires deliberate design choices that acknowledge human scale, natural site features, and neighboring urban development, and that are compatible with historical and architectural resources.

As mentioned above, improvements would require the removal of trees and a potential removal of a rock outcropping located on the western portion of the project site. The COSE states that scenic and unique landforms, including significant trees or outcroppings, should be preserved. Proposed tree removal would be consistent with the City's Tree Ordinance, which establishes requirements for compensatory planting (1:1) and preservation requirements for retaining trees with historic or unusual value. The rock outcropping is located between proposed Lots 1 and 2 and depending on final construction plans would likely be removed. The outcropping is neither scenic or unique (such as those of the Morros) and any impacts or removal of it as a result of the project would be insignificant and not in conflict with policies of the COSE. Additionally, none of the trees onsite have historic or unusual value.

Therefore, the proposed project is consistent with applicable zoning and the *City of San Luis Obispo General Plan*, and impacts would be considered *less than significant*.

d) The project is not currently proposing the development of outdoor lighting sources that could create a new source of light or glare. Future development plans have not been specified; however, if new light sources are proposed, they must adhere to the COSE (Policy 9.2.3), which states outdoor lighting shall avoid operating at unnecessary locations, levels, and times; spillage into areas not needing or wanting illumination; glare; and frequencies that interfere with astronomical viewing. Outdoor lighting standards include, but are not limited to, a requirement for outdoor light sources to be shielded and directed away from adjacent properties and public rights-of-way, minimum levels of lighting consistent with public safety standards, and limits to hours of lighting operation. Future residential development would be required to comply with the Lighting and Night Sky Preservation Ordinance (Section 17.70.100). The project would also be subject to

review and approval by the City Community Development Director to ensure compliance with these standards prior to final approval. Therefore, impacts from new sources of light or glare would be *less than significant.*

Mitigation Measures

No mitigation is required.

Conclusion

The project site is not located within a scenic vista or within the viewshed of a designated State Scenic Highway and is consistent with existing views visible from Santa Rosa Street. The project does not propose any design features that are inconsistent with the current zoning regulations or other applicable regulations. Therefore, impacts would be less than significant.

2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	2, 9	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	2, 10	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	2, 3, 8	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	1, 2, 9, 10	☐	☐	☐	☒

Evaluation

The California Department of Conservation (CDOC) classifies and maps agricultural lands in the state in the Farmland Mapping and Monitoring Program (FMMP). The FMMP identifies five farmland categories: Prime Farmland, Farmland of Statewide

Importance, Unique Farmland, Farmland of Local Importance, and Farmland of Local Potential. The project site is designated as Urban and Built-Up Land by the FMMP.

No portion of the project site or immediately surrounding areas support active agricultural uses. The project site is not located within or immediately adjacent to land zoned for agricultural uses. Based on Figure 6 in the COSE, the project site is not located within or immediately adjacent to land under an active Williamson Act contract.

According to Public Resources Code (PRC) Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

a) According to FMMP designations, the project site is located on Urban and Built-Up Land (DOC 2020). Since the project site is not located on land designated as Farmland by the FMMP, the project would not result in the conversion of Farmland to non-agricultural use; therefore, *no impacts* would occur.

b) The closest Prime Farmland is located approximately 530 feet east of the project just beyond Santa Rosa Street; however, this area is not zoned for agricultural uses under the City's COSE. The proposed project would not disturb the FMMP designated Prime Farmland or interfere with agricultural zoning designations. The project site and adjacent land are not under a Williamson Act contract. The closest land under a Williamson Act contract is located approximately 0.87 mile west on the opposite side of Bishop Peak. Proposed improvements would not affect nearby land under a Williamson Act contract or conflict with nearby land that is zoned for agricultural uses; therefore, the project would not conflict with existing agricultural zoning or a Williamson Act contract, and *no impacts* would occur.

c) The project site is currently zoned as R-1 (Low Density Residential) and is surrounded by R-1 (Low Density Residential) zoning designations to the north, west, and south and open space to the east. Therefore, the project site does not include land use designations or zoning for forest land or timberland. The project would not conflict with zoning for forest land, timberland, or timberland zoned Timberland Production, and *no impacts* would occur.

d) The project site contains more than 10% of native tree cover resulting from coast live oaks (*Quercus agrifolia*) located primarily along the northern and eastern property lines. While these trees provide an aesthetic benefit to the project site, they are not present in such a quantity to provide for significant management of forest resources. Subdivision improvements would require the removal of native trees, and pursuant to the City's Tree Regulations (City Municipal Code Chapter 12.24), the project would be required to compensate for removed trees at a minimum 1:1 ratio. Therefore, the project's impact related to loss or conversion of forest land, timberland, or timberland zoned Timberland Production would be *less than significant.*

e) The project site is surrounded low-density residential uses to the north, west, and south and open space to the east. The nearest agricultural uses are approximately 530 feet east of the project site. The proposed project would be consistent with surrounding uses and consistent with existing zoning for this site and would not adversely affect agricultural water supplies or other agricultural support facilities. Therefore, the project would not result in substantial changes in the environment that could result in conversion of nearby agricultural land or forest land to non-agricultural or non-forest use, and *no impacts* would occur.

Mitigation Measures

No mitigation is required.

Conclusion

The project site is located in an urbanized area and is not within or adjacent to Farmland, land zoned for agricultural or forest land use, or land under a Williamson Act Contract. No potentially significant impacts to agriculture or forest land would occur, and no mitigation is necessary.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	11, 12, 13	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	11, 12, 13	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	1, 3, 12, 13	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	1, 14	☐	☒	☐	☐

Evaluation

The city of San Luis Obispo is located within the South Central Coast Air Basin (SCCAB), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (CARB), and San Luis Obispo County Air Pollution Control District (SLOAPCD). The SLOAPCD monitors air pollutant levels to assure that air quality standards are met, and if they are not met, develops strategies to meet the standards. Depending on whether the standards are met or exceeded, the SCCAB is classified as being in "attainment" or as "nonattainment."

San Luis Obispo County is currently designated as "nonattainment" for the State standards for ozone, partial nonattainment (in eastern San Luis Obispo County, outside of the project area) for federal ambient standards for ground-level ozone (O_3), and nonattainment for the State standards for particulate matter less than 10 microns in diameter (PM_{10}). The COSE identifies goals and policies to achieve and maintain air quality that supports health and enjoyment for those who live, work, and visit the city. These goals and policies include meeting federal and State air quality standards, reducing dependency on gasoline- or diesel-powered motor vehicles, and encouraging walking, biking, and public transit use.

The major sources of PM_{10} in the SCCAB are agricultural operations, vehicle dust, grading, and dust produced by high winds. Additional sources of particulate pollution include diesel exhaust, mineral extraction and production, combustion products from industry and motor vehicles, smoke from open burning, paved and unpaved roads, condensation of gaseous pollutants into liquid or solid particles, and wind-blown dust from soils disturbed by demolition and construction, agricultural operations, off-road vehicle recreation, and other activities. Ozone is a secondary pollutant that is formed by a reaction between nitrogen oxides (NO_x) and reactive organic gases (ROGs) in the presence of sunlight. Therefore, ozone levels are dependent on the amount of these precursors. In the SCCAB, the major sources of ROGs are motor vehicles, organic solvents, petroleum production, and pesticides. The major sources of NO_x are motor vehicles, public utility power generation, and fuel combustion by various industrial sources.

The SLOAPCD has developed a California Environmental Quality Act (CEQA) Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to evaluate project-specific impacts and determine if potentially significant impacts could result from a project. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, the *2001 San Luis Obispo County Clean Air Plan* (CAP) was adopted by the SLOAPCD.

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. The CARB has identified the following groups that are most likely to be affected by air pollution (i.e., sensitive receptors): children under 14, the elderly over 65 years of age, athletes, and people with cardiovascular and chronic respiratory diseases. The nearest sensitive receptors to the project site are the single-family residences located adjacent to the south (10 feet), west (20 feet), and east (10 feet) of the project site.

Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the CARB. Any ground disturbance or demolition of existing structures in an area identified as having the potential to contain NOA must comply with the CARB Airborne Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. The SLOAPCD NOA Map indicates that the project site is located within an area identified as having a potential for NOA to occur.

a) In order to be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with the land use planning and transportation control measures (TCMs) and strategies outlined in the CAP. The proposed project is consistent with the general level of development anticipated and projected in the CAP. The proposed development's location, uses, and intensity are generally consistent with planning envisioned in the 2014 *City of San Luis Obispo General Plan Land Use and Circulation Elements* (LUCE) update and with the CAP's land use planning strategies. The project is located within the City's urban reserve line and would not designate more land for urban use, would be in close proximity to public transportation, and supports compact communities' strategies. Increases in housing units would help to offset projected imbalances between jobs and housing units, as noted in the *2019 Regional Housing Needs Allocation Plan* (RHNA) prepared by the San Luis Obispo Council of Governments (SLOCOG). Improvements in a jobs-to-housing imbalance would help support and promote local and regional improvements related to increased transportation mobility and potential reductions in vehicle miles traveled (VMT). The proposed project does not include commercial or industrial land uses that would result in increases in employment.

   The proposed project would be consistent with the general level of development anticipated and projected in the CAP. Therefore, potential impacts would be *less than significant.*

b) Construction of the subdivision improvements would disturb approximately 4.27 acres of land and result in emissions of ROGs, NO_x, and fugitive dust emissions (PM_{10}). The parcel subdivision would facilitate future single-family residential uses, with ADUs and JADUs as potential accessory uses, that would result in emissions of pollutants during construction activity. During operation, the project would result in emissions of ozone precursor pollutants associated with mobile source emissions and other uses.

Construction Emissions

Proposed subdivision improvements would disturb approximately 4.27 acres of land and require approximately 12,600 cy of total earthwork; however, specific future development plans are currently unknown and have the potential to result in additional ground disturbance causing the production of more pollutants. Construction of subdivision improvements and future residential structures have the potential to cause a short-term increase in dust and vehicle emissions, including diesel particulate matter (DPM), ROGs, NO_x, and particulate matter. As shown in Table 2, construction emissions from proposed subdivision improvements would exceed the SLOAPCD's applicable screening thresholds for ROG, NO_x, DPM, or PM_{10}. Therefore, potential construction-related emissions of these pollutants would require SLOAPCD Tier 1 mitigation as described in Mitigation Measures **AQ-1** and **AQ-2**.

Table 2. Project Construction Emissions

Criteria Pollutant	Total Project Emissions	SLOAPCD Screening Threshold	Exceeds Threshold?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO_x)	0.72 tons	2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	0.03 tons	0.13 tons/quarter	Yes
Fugitive Particulate Matter (PM_{10})	3.20 tons	2.5 tons/quarter	Yes

It is anticipated that the subdivision improvements and construction of single-family residential uses, with an ADUs and JADUs as potential accessory uses, would occur sequentially. Exact grading volumes for the residential development are unknown at this time but would likely involve less than 4 acres of site disturbance and 1,200 cy of earthwork per day, which would not result in exceedances of the SLOAPCD thresholds. To minimize potential impacts, AQ-1 and AQ-2 would be applicable to the residential development. Therefore, potential impacts would be *less than significant with mitigation.*

Operational Emissions

The SLOAPCD *CEQA Air Quality Handbook* provides operational screening criteria to identify projects with the potential to exceed SLOAPCD operational significance thresholds (see Table 1-1 of the CEQA Air Quality Handbook). Based on Table 1-1 of the *CEQA Air Quality Handbook*, the project does not propose development that would have the potential to result in operational emissions that would exceed SLOAPCD thresholds (76 single-family residences). Based on the relatively low volume of trips associated with the project and the type of activities proposed, operational impacts associated with the project would be minimal. The project would not generate substantial new long-term traffic trips or vehicle emissions and does not propose construction of substantial new direct (source) emissions. Therefore, potential operational emissions would be *less than significant*.

c) The project site is located within 1,000 feet of multiple sensitive receptors, including single-family residential units to the south, east, and west of the project site. The development of single-family residential uses, with ADUs and JADUs as potential accessory uses, would result in temporary construction vehicle emissions and fugitive dust that may affect surrounding sensitive receptors. The SLOAPCD *CEQA Air Quality Handbook* recognizes special conditions, such as proximity to sensitive receptors, that require implementation of standard construction mitigation measures to reduce diesel idling (DPM) and fugitive dust. Due to the project's proximity to surrounding residential areas (less than 1,000 feet), standard measures for reducing DPM and fugitive dust are required. Mitigation Measures **AQ-1** and **AQ-2** would reduce exposure of sensitive receptors to adverse fugitive dust and construction vehicle emissions; therefore, impacts would be *less than significant with mitigation.*

d) Project development activities, such as building construction, utility trenching, and installation, would generate odors associated with equipment exhaust and fumes. The proposed activities would not differ significantly from those resulting from any other type of construction project. Any effects would be short term in nature limited to the construction phase of the proposed project and would be less than significant.

The SLOAPCD NOA Map indicates that the project site is located within an area identified as having a potential for NOA to occur. The project includes excavation for road construction and trenching and installation of new water, wastewater, and stormwater service pipelines to the proposed new parcels. The project may also include demolition of an existing barn and shed, which have the potential to disturb asbestos-containing materials (ACM). Demolition can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of ACM. Future development of the parcels would also likely include excavation for foundations and trenching for utilities. Pursuant to SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations [CCR] Section 93105), the applicant is required to conduct a geologic evaluation prior to any ground-disturbing activities and comply with existing regulations regarding NOA, if present. Mitigation Measures **AQ-3** and **AQ-4** have been identified to require the applicant to complete a geologic evaluation and follow all applicable protocols and procedures if NOA is determined to be present onsite. Mitigation Measure **AQ-5** requires inspection for ACM prior to demolition and reported to the SLOAPCD. Based on compliance with identified mitigation and existing regulations, this potential impact would be *less than significant with mitigation.*

Mitigation Measures

AQ-1 **Idling Control Techniques.** During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
    a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible;
    b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
    c. Use of alternative-fueled equipment shall be used whenever possible; and
    d. Signs that specify the no idling requirements shall be posted and enforced at the construction site.
2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with 13 CCR 2485. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:

a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and

b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 **Particulate Matter Control Measures.** During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:

1. Reduce the amount of disturbed area where possible.
2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible.
3. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.
5. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.
7. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114.
10. "Track out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code (CWC) Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked-out soils, the track-out prevention device may need to be modified.
11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
12. All PM_{10} mitigation measures required should be shown on grading and building plans.
13. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures

as necessary to minimize dust complaints and reduce visible emissions below the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact Tim Fuhs at 805-781-5912).

AQ-3 **Geologic Evaluation.** Prior to initiation of ground-disturbing activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb NOA, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 **Naturally Occurring Asbestos Control Measures.** If NOA are determined to be present onsite, proposed earthwork, demolition, and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
3. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

AQ-5 **Asbestos-Containing Material.** Prior to issuance of demolition permits, the applicant shall provide an asbestos report that was prepared by a certified asbestos consultant. If ACM are determined to be present, at least 10 working days prior to any demolition work the applicant shall provide notification to SLOAPCD of such work. The notification shall include an asbestos report that was prepared by a certified asbestos consultant. ACM removal and disposal shall follow the requirements of the National Emission Standards for Hazardous Air Pollutants Regulation (NESHAP) Subpart M and of the SLOAPCD.

Conclusion

With implementation of Mitigation Measures **AQ-1** through **AQ-5**, residual impacts associated with air quality would be less than significant.

4. BIOLOGICAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 4, 5, 62, ***63, 64***	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 4, 5, ***64***	☐	☒	☐	☐

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	2, 4, 5, 17, 62, ***64***	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	4, 5, ***64***	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	7, 16	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	18	☐	☐	☐	☒

Evaluation

The city is generally surrounded by open space, rangeland used for grazing, and other agricultural uses that support a variety of natural habitats and plant communities. The city's many creeks provide sheltered corridors that allow local wildlife to move between habitats and open space areas. The COSE identifies various goals and policies to maintain, enhance, and protect natural communities within the City's planning area. These policies include, but are not limited to, protection of listed species and species of special concern, preservation of existing wildlife corridors, protection of significant trees, and maintaining development setbacks from creeks.

The project site is zoned R-1 (Low Density Residential) and is surrounded by developed one- and two-story single-family residential units to the south, east, and west, undeveloped land to the north, and CAL FIRE Station #12 to the east. The Patricia Drive entrance to the Bishop Peak Trailhead is located 0.5 mile northwest. A creek and associated freshwater forested/shrub wetland and riparian areas occur on the western portion of the project site and connects to a freshwater emergent wetland on the northern undeveloped parcel.

According to the Biological Resources Assessment (BRA) conducted by Keven Merk Associates, LLC (KMA; KMA 2020), there are five plant communities/land use types within the project site. The communities include ornamental vegetation, developed/ruderal area, riparian habitat, annual grassland, and rock outcrop. KMA identifies the onsite creek as Twin Ridge Creek, which runs in a north to south direction on the western portion of the project parcel and is a tributary to San Luis Obispo Creek. The riparian habitat is comprised of native coast live oak and willows (*Salix* spp.) along with a variety of non-native ornamental vegetation. The riparian habitat is considered a sensitive natural community by the California Department of Fish and Wildlife (CDFW) and the City's COSE. The annual grassland that occurs on the project site is periodically used for horse grazing and is predominantly comprised of non-native species as a result of a history of disturbance. There is one small rock outcrop in the western portion of the project area that was determined to be a landscape feature rather than a habitat type.

During tree surveys, a total of 177 trees were identified on the project site, which include ornamental species and naturally occurring native species. Native trees include coast live oak (*quercys agrifolia)*, valley oak (*quercus lobata*), Southern California black walnut (*juglans California)*, California bay laurel (*Umbellularia california)*, arroyo willow (*salix lasiolepis)*, and California holly toyon (*heteromeles arbutifolia).* A background review for the site identified five special-plant species that have potential to occur within the project site, with three species—Cambria morning glory, California black walnut (*Juglans californica*), and Monterey pine (*Pinus radiata*)—occurring onsite. Three invertebrate, one reptile, 19 bird, and four mammal species were considered to have potential to occur on the project site. Fish species are not expected to occur onsite due to the intermittent nature of the drainage. The project site is considered ***within Unit SLO-3 of*** **designated** critical habitat for the California red-legged frog (*Rana draytonii*). ***Unit SLO-3 is approximately 116,517 acres in size and identifies a geographic area that contains features essential for the conservation of the species. Activities on private lands that do not require a federal***

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

permit are not affected by the critical habitat designation (FWS 2010). The following analysis of biological resources is primarily based off the BRA conducted by KMA for the project (KMA 2020**, KMA 2021**).

An Aquatic Resources Delineation Report prepared by SWCA Environmental Consultants (SWCA) in January 2021 determined that a portion of the wetland area supported onsite is considered Waters of the United States (WOTUS) under the U.S. Army Corps of Engineers (USACE) and Waters of the State (WOTS) under the state Regional Water Quality Control Board (RWQCB) and CDFW.

a) *Special-Status Plant Species*

The BRA for the project site determined that there is potential for four special-status plant species to occur onsite, of which three species (Cambria morning glory, California black walnut, and Monterey pine) were observed onsite. Potential special-status plant species include California (southern) black walnut (California Rare Plant Rank [CRPR] 4.2, Cambria morning glory (CRPR 4.2), Miles' milk-vetch (*Astragalus didymocarpus* var. *milesianus*; CRPR 1B.2), and San Luis Obispo owl's-clover (*Castilleja densiflora* var. *obispoensis*; CRPR 1B.2). In addition, Monterey pine was observed within ornamental vegetation onsite and in surrounding neighborhood areas and is considered to be a CRPR 1B.1 only within its native range of Año Nuevo, Cambria, and the Monterey Peninsula. These species are considered to have potential to occur onsite based on the presence of suitable soils and habitat conditions.

Focused rare plant surveys were conducted for the project site within all potentially suitable habitat areas in March, April, and May 2020, which is within the blooming period of these four species with potential to occur onsite. Based on the findings of the surveys, Miles' milk-vetch and San Luis Obispo owl's-clover was not observed during field surveys and would not be affected by project activities. Cambria morning glory and California black walnut were observed onsite and are discussed below. In addition, the BRA identifies Monterey pine species present within ornamental vegetation and is also discussed below.

Cambria Morning Glory

Cambria morning glory was observed within the annual grassland, which comprises the project site to the east of the onsite wetland and riparian habitat. The occurrences supported low densities with average cover estimated at three plants per square meter. The four observed occurrences were determined to cover approximately 1,076 sf (100 square meters) of the project site and approximately 300 plants were present onsite. Construction of the project, including grading and installation of road and utility improvements, as well as future residential development, would result in the removal or disturbance of Cambria morning glory. Implementation of Mitigation Measures **BIO-1** and **BIO-2** are required to reduce potential impacts to Cambria morning glory. These measures would require implementation of a Rare Plan Mitigation Program that would establish replanting of Cambria morning glory so that after a 5-year period there would be no net loss of the plant. Implementation of recommended mitigation measures would reduce impacts to a level that is considered *less than significant with mitigation*.

Monterey Pine

Monterey pine was observed within the ornamental trees onsite and in surrounding neighborhoods. Monterey pine is considered to be a CRPR 1B.1 species within its native range. The three native stands in California are in Año Nuevo, Cambria, and the Monterey Peninsula. Similar to the California black walnut, since San Luis Obispo is not within this species' native range, the Monterey pine would not be considered a special-status species onsite and no mitigation is recommended.

Special-Status Wildlife Species

Based on a background review for the project site, 19 bird, three invertebrate, one reptile, and four mammal species have potential to occur on the project site. No fish species were determined to have potential to occur onsite based on the intermittent nature of the drainage. The species that have potential to occur onsite are discussed below.

Birds and Bats

The 19 bird species identified as having the potential to occur onsite include bald eagle (*Haliaeetus leucocephalus*), burrowing owl (*Athene cunicularia*), California horned lark (*Eremophila alpestris actia*), Cooper's hawk (*Accipiter cooperii*), ferruginous hawk (*Buteo regalis*), golden eagle (*Aquila chrysaetos*), grasshopper sparrow (*Ammodramus savannarum*), great blue heron (*Ardea herodias*), great egret (*Ardea alba*), loggerhead shrike (*Lanius ludovicianus*), merlin (*Falco columbarius*), northern harrier (*Circus cyaneus*), prairie falcon (*Falco mexicanus*), sharp-shinned hawk (*Accipiter striatus*), snowy egret (*Egretta thula*), tricolored blackbird (*Agelaius tricolor*), white-tailed kite (*Elanus leucurus*), yellow-billed magpie (*Pica nuttallii*), yellow warbler (*Setophaga petechia*), pallid bat (*Antrozous pallidus*), San Diego desert woodrat (*Neotoma lepida intermedia*), Townsend's big-eared bat (*Corynorhinus townsendii*), and western mastiff bat (*Eumops perotis californicus*). The project site is comprised of numerous ornamental and native trees and other habitat that have the potential for birds or bats to nest or roost in.

Burrowing owls have the potential to occur onsite, as a transient species, during the winter months due to large grassland habitat to the north of the site. According to CDFW, burrowing owls are rare in the coastal San Luis Obispo area and are believed to no longer nest in the region (KMA 2021, CDFW 2003). Additionally, the project site is regularly disturbed (i.e. mowed, grazed) which reduces the potential for burrowing owl to stop at the site as this species is highly sensitive to human activity, and the project site is located within an existing residential neighborhood. ~~Additionally, wintering habitat for burrowing owl has the potential to be disturbed during proposed groundwork activity.~~

The project would remove 13 non-native trees within the riparian habitat, primarily acacia (silver wattle) trees and one eucalyptus tree. Removal of trees for parcel upgrades and future development have the potential for accidental take or other indirect affects to bird species in the area. ***Additionally, as noted in the Initial Study circulated for public review, wintering habitat for burrowing owl has the potential to be disturbed during proposed groundwork activity.*** Implementation of Mitigation Measures **BIO-3** through **BIO-7** would reduce impacts to nesting or roosting birds and bats that could be present at the project site. Implementation of these mitigation measures would reduce project impacts on birds to a level that is considered *less than significant with mitigation*.

Reptiles

The northern California legless lizard (*Anniella pulchra*) is a CDFW Species of Special Concern (SSC) and occurs in a variety of habitats with soil moisture and cover. Suitable habitat for this species is present in the riparian habitat and marginally in the ornamental vegetation onsite. While no construction activity is proposed within the riparian habitat, non-native acacia trees within the riparian corridor and adjacent native and ornamental vegetation outside of the riparian corridor would be removed, and therefore could impact California legless lizard. Implementation of Mitigation Measures **BIO-4** through **BIO-7** would reduce impacts to northern California legless lizard to a level that is considered *less than significant with mitigation*.

Invertebrates

The monarch butterfly (*Danaus plexippus)* is considered a sensitive species by the CDFW ***and is a candidate species under the Endangered Species Act***. Milkweed is required as a host plant for caterpillar species, which was not observed onsite; however, individual species were observed flying overhead during surveys. The density of trees in the riparian habitat could potentially be suitable habitat as an overwintering or autumnal site. Tree removal is proposed for parcel upgrades and could affect monarch butterfly species present onsite. ***While eucalyptus is a typical tree species that supports monarch butterfly overwintering, removal of the one eucalyptus tree and 13 non-native trees from the riparian corridor would not have a substantial adverse effect on monarch butterfly overwintering populations, and restoration of the creek corridor and adjacent areas would include the replanting and establishment of native species, including Cambria morning glory onsite, that would provide protected foraging habitat onsite and potential overwintering or autumnal habitat for this species in the long-term within the riparian corridor.*** Implementation of Mitigation Measure **BIO-8** would require vegetation removal to occur outside of the overwintering season; therefore, impacts would be *less than significant with mitigation.*

The obscure bumble bee (*Bombus caliginosus*) does not have a specific listing status but is considered sensitive in the California Natural Diversity Database (CNDDB) and is a species of local concern. The BRA identified that host plants for these species are located in riparian habitat onsite. The riparian habitat would have a 20-foot setback and minimal

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

work within the setback would be required. However, acacia tree removal is proposed within the riparian habitat that has the potential to disturb obscure bumble bee species present within the riparian habitat. Implementation of Mitigation Measures **BIO-4** through **BIO-8** would reduce impacts to obscure bumble bee species to a level that is considered *less than significant with mitigation*.

The San Luis Obispo pyrg (*Pyrgulopsis taylori*) is an aquatic snail that is considered sensitive by CNDDB but does not have a specific listing status. The species inhabits freshwater habitat, which is present at the onsite creek. Project activities do not propose alteration or disturbance of the creek that could adversely affect San Luis Obispo pyrg species potentially present. Standard Best Management Practices (BMPs) to reduce erosion and sedimentation within the creek habitat would be sufficient to avoid impacts to potential species present onsite. Standard BMPs are identified in Mitigation Measure **BIO-9** and would reduce impacts to the San Luis Obispo pyrg to a level that is considered *less than significant with mitigation.*

Designated Critical Habitat

The project site is considered designated critical habitat for the California red-legged frog by the U.S. Fish and Wildlife Service (USFWS). The area is Unit SLO-3 Willow and Toro Creeks to San Luis Obispo and comprises approximately 116,517 acres. The unit occurs along the San Luis Obispo Coast, north of Morro Bay, and extends southeast into the city of San Luis Obispo. ***Critical habitat areas identify a geographic area that contains features essential for the conservation of the species. Activities on private lands that do not require a federal permit are not affected by the critical habitat designation. However, listed species, such as red-legged frog, and their habitats, are protected by the Endangered Species Act regardless of whether they occur in a designated critical habitat or not. (FWS 2010).***

The BRA concluded that the project site does not provide suitable aquatic breeding habitat for California red-legged frog. The onsite ~~drainage~~ ***portion of Twin Ridges Creek*** is intermittent and does not contain water of sufficient depth long enough for California red-legged frog larvae to complete metamorphosis. ***At the time of the March 2020 site visit, only one small pool was identified with less than six inches of standing water. No emergent wetland vegetation was present, and wetland vegetation along the channel consisted of vernal marsh species, which indicated a lack of permanent inundation (KMA 2021).*** ~~In addition, the stream lacks any significant pools and does not contain sufficient depth to support adult frogs.~~ ***Typical breeding habitat is associated with still or slow-moving water that is more than two feet in depth and is surrounded by dense, shrubby riparian or emergent vegetation. Additionally, breeding pools maintain water at least into July (KMA 2021).*** Based on ***the site visit and*** aerial photography of the ~~site~~ ***vicinity***, there are no other potential breeding ponds nearby that could support California red-legged frog.

Annual grassland and ornamental habitats are considered suitable upland and dispersal habitat for California red-legged frog ***if there are aquatic breeding sites within one mile that are not separated by barriers to dispersal.***~~;~~ ~~however, the~~ ***The*** nearest record of California red-legged frog is 0.4 mile at Brizziolari Creek, which is separated from the project site by SR 1***, which is a barrier to movement and dispersal to and from the project site***. The project site does not provide connections to other suitable aquatic sites and is surrounded by urban development to the south, west, and east.

A comment received on the draft MND suggested that a perennial portion of Twin Ridges Creek exists downstream of the project site and could potentially provide suitable habitat for California red-legged frog. The identified segment is not mapped in the National Wetlands Inventory but is identified on a 1965 San Luis Obispo U.S. Geologic Survey topographic quadrangle as an intermittent stream that originates on the east side of Bishop Peak (KMA 2021). This drainage was visited by the project biologist, Kevin Merk, on June 10, 2021. The drainage originates from a storm drainpipe and has a small pool at the outfall (6 feet wide, 14 feet long, and 4 inches deep). Based on channel morphology and evidence of past flow events, this pool would likely reach a maximum depth of 18 inches (1.5 feet), which is less than the 2 feet of depth observed at typical breeding sites for California red-legged frog. Two additional pools occur downstream from this outfall pool, with water two to three inches deep and no flow between the pools. The maximum size of these pools is estimated at 3 feet by 5 feet, and 6 inches deep, and 2 feet by 3 feet and 4 inches deep; therefore, both pools would have a maximum depth less than the 2 feet of depth observed at typical breeding sites for California red-legged frog.

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

As noted in the supplemental memorandum prepared by KMA (2021), residential structures are present along the top of bank and the streambank below the homes is armored with stacked concrete sacks. Extensive cover of nonnative English ivy occurs throughout the area. Sparse wetland plants were observed in the channel and consisted of a small patch of sedges with taller riparian canopy cover comprised mostly of willows. This native amphibian needs deep enough water to dive into to escape predators such as raccoons and wading birds (USFWS, 2002; Jennings and Hayes, 1994 [as cited in the KMA, 20210 memorandum). The non-native bullfrog is also a known predator of California red-legged frog. When California red-legged frog tadpoles are found in streams they are in large pools with emergent wetland plants, overhanging riparian vegetation in contact with the water or undercut banks that provide the necessary hiding places to avoid predation so they can develop into young adults (USFWS, 2002; KMA personal observation). Although water persisted in the small culvert outfall pool until June in a drought year, it is too shallow and limited in extent even at the estimated bank full stage to support California red-legged frog breeding requirements. The segment of the drainage on the project site and extending further upstream to another culverted section that daylights from under urban development along Skyline Drive naturally dries in the summer and does not have any in-channel pools with suitable depth to support red-legged frogs. The commenter identified this as the "spring origin", and it appears to be another outfall of the culverted creek that has become overgrown with weedy vegetation including several Canary Island palm trees. Additionally, there is no downstream habitat for California red-legged frog as Twin Ridges Creek goes into an open concrete channel downstream from Highland Drive (City 2014). Moreover, no records of California red-legged frogs are present from Stenner Creek or San Luis Obispo Creek within the downtown area where individuals could breed and disperse through the creek corridor onto the site (CDFW 2021).

In conclusion, these pools are too shallow (less than 2 feet in maximum depth) and do not provide enough overhanging riparian vegetation in contact with the water or banks to provide necessary shelter from the elements and predation for red-legged frog tadpoles to develop into young adults.

Therefore, the site is considered to have low potential for ***breeding habitat or*** upland and dispersal habitat for California red-legged frog within the designated critical habitat and impacts would be *less than significant*.

The project site supports identified special-status plants and wildlife species that could be affected by the proposed project. However, implementation of Mitigation Measures **BIO-1** through **BIO-9** would reduce or avoid potential impacts to biological resources present onsite; therefore, impacts would be *less than significant with mitigation*.

b) The project site contains a riparian forest along the onsite creek located in the western portion the property. The BRA identifies the riparian habitat as a Central Coast Live Oak Riparian Forest Community, which has a State Rarity Rank of 3.2. The identified riparian forest consists of native riparian trees and shrubs, which includes coast live oak, red willow (*Salix laevigata*), arroyo willow (*Salix lasiolepis*), toyon, California bay laurel (*Umbellularia californica*), interior live oak (*Quercus wislizenii*), and California black walnut *(Juglans californica)*. Non-native species also occur in the riparian habitat, including blue gum (*Eucalyptus globulus*), silver wattle (*Acacia dealbata*), firethorn (*Pyracantha* sp.), coast redwood (*Sequoia sempervirens*), and English ivy (*Hedera helix*). Native understory plants present within the riparian area include poison oak (*Toxicodendron diversilobum*), and coyote brush (*Baccharis pilularis*). A separate wetland community was observed in the riparian area, which includes spikebrush (*Eleocharis macrostachya*), brown-headed rush (*Juncus phaeocephalus*), tall flatsedge (*Cyperus eragrostis*), and curly dock (*Rumex crispus*). The project would require permits described in Mitigation Measure **BIO-10** for work proposed within the riparian area. In addition, the Fire Protection Plan requires removal of non-native trees within the riparian habitat, resulting in the removal of 13 trees, primarily acacia (silver wattle) trees ***and one eucalyptus tree***, within the riparian ~~habitats~~ ***corridor***. The project would be required to comply with the City's Municipal Code (12.24.090) and replace trees at a minimum 1:1 ratio. The City's COSE (7.7.9) calls for a creek setback with appropriate separation from the physical top of bank unless there is no reasonable alternative, in which structures may be permitted to encroach. The proposed TTM shows the extent of the riparian area and a 20-foot creek setback, which would be further protected by implementation of mitigation measure **BIO-11**, which requires recordation of a biological easement on the Final Map and application of creek setback standards. As noted, improvements including stormwater improvements, removal of non-native trees and plants, and restoration activities would be allowed within the easement area. No paving or structures would be permitted in the

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

biological easement area, however, grading activity is proposed in several areas within the creek setback for stabilization, and placement of rip rap pads are proposed within or adjacent to the setback. The easement and application of creek setback standards would affect proposed Lots 1–8~~,~~. With implementation of the identified mitigation measure, the project would reduce impacts to the riparian area onsite and impacts would be *less than significant with mitigation*.

c) Proposed project construction requires 4.27 acres of ground disturbance, including 7,900 cy of cut and 4,760 cy of fill, which has the potential to release erosive runoff into the creek and associated wetland areas that may cause adverse effects to water quality. Mitigation Measure **BIO-9** identifies construction BMPs to reduce potential runoff from the project site that could adversely affects nearby water resources. In addition, an Aquatic Resources Delineation Report was prepared by SWCA (SWCA 2021) as required by the BRA and determined that Twin Ridge Creek is likely non-wetland WOTUS and waters of the state. Twin Ridge Creek likely falls under the USACE, CDFW, and RWQCB jurisdictions due to the presence of clearly definable ordinary high-water marks, bank and bed features, riparian vegetation, and hydrologic connectivity to San Luis Obispo Creek. Twin Ridge Creek does not meet the definition of a wetland because it does not support hydric soils or consistent indicators of wetland hydrology. The Aquatic Resources Delineation determined that 0.14 acre of Twin Ridge Creek is potentially under the jurisdiction of the USACE and 0.70 acre of the riparian area is potentially under the jurisdiction of the RWQCB and CDFW. The project identifies a 20-foot setback from the riparian edge in accordance with the City's COSE, and this area would be further protected from future development by implementation of Mitigation Measure **BIO-11**, which would create a biological easement; however, some grading activity and placement of rip rap pads would occur within or adjacent to the creek setback, and several non-native trees would be removed from within the riparian corridor for fire safety. The project would require permits described in Mitigation Measure **BIO-10** for work proposed within the jurisdictional areas (streambed and riparian corridor). With implementation of the identified mitigation measures, potential impacts to the riparian area onsite would be reduced and impacts would be considered *less than significant with mitigation*.

d) The project site is located near an area designated as a wildlife corridor within the COSE. The proposed property subdivision, utility connections, and subsequent future development of new residences would not introduce a substantial new barrier to wildlife passing through the area because they would be located outside of the designated wildlife corridor.

Regarding common wildlife, the project site is zoned for residential development, and is surrounded on three sides by the existing residential neighborhood, and the Cal Fire facility is located to the northeast. One existing residence is currently located on Stanford Drive. The vacant land to the north of the site is located along State Route 1 and connects to larger areas of largely vacant land, rural developments, and open space to the north and west. While common wildlife adapted to urban development may approach the project site and surrounding neighborhood, development of the project site would not block or inhibit wildlife movement throughout the larger undeveloped and open space lands that extend from the City to the coastline (approximately 8.5 miles to the west). Furthermore, the project incorporates a 20-foot setback from the riparian corridor that will be enhanced by the removal of non-native trees and the planting of native vegetation, and wildlife that currently uses this corridor to access the larger areas to the north would not be blocked or inhibited by the proposed project. Therefore, the proposed residential development of the 4.98-acre site would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Public comment was received regarding concern that the removal of trees within the riparian corridor would decrease roosting habitat for raptors. The proposed project would include the removal of only non-native species for fire protection, and potential short-term impacts to nesting birds is discussed above (see [a]) and mitigation is identified to reduce these potential short-term impacts to less than significant (Mitigation Measures BIO-3 through BIO-7). In the long-term, the riparian corridor would be replanted with native trees, shrubs, and grasses and protected in perpetuity. Therefore, the habitat condition of the riparian corridor will improve overall area that is occupied by native riparian habitat will increase. The onsite grassland area is currently disturbed and does not represent high quality foraging habitat given its limited area and proximity to existing urban development. Raptors would still be able to utilize trees along the riparian corridor and in the surrounding area for perches even with the

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

development of the proposed project. The BRA determined that the onsite creek, Twin Ridge Creek, does not support fish species due to the intermittent nature of the drainage; therefore, project activities do not have the potential to interfere with the movement of migratory fish species within the creek. However, according to the BRA, Twin Ridge Creek is a tributary to San Luis Obispo Creek and potential erosive runoff from the project has the potential to degrade water quality and fish species within San Luis Obispo Creek. Mitigation Measure **BIO-9** identifies BMPs for construction activity to reduce potential erosion and sedimentation from entering the onsite creek, which would reduce the potential for erosion and sedimentation to enter San Luis Obispo Creek. In addition, implementation of Mitigation Measure **BIO-11** would create a permanent biological easement and application of a 20-foot setback standard from the riparian edge, which would be consistent with the City's Municipal Code (17.70.030). Future development would be consistent with the City's Municipal Code (17.70.030) and implementation of Mitigation Measure **BIO-9** would reduce impacts to the movement of migratory or native species; therefore, impacts would be *less than significant with mitigation*.

e) The project site supports Central Coast Live Oak Riparian Forest and other native and non-native trees. The project site contains 177 ornamental and native trees, primarily within the riparian corridor. The project would remove all 73 trees located outside the riparian corridor including 15 native coast live oak trees and 1 southern California black walnut tree (tree numbers 1-62, 85-91, 173-177 as shown in Appendix D of Attachment 3 and Sheet C2 of Attachment 2). Additionally, the Fire Protection Plan for the proposed project requires removal of non-native trees within the riparian habitat. A total of 13 non-native trees, primarily acacia (silver wattle) trees, within the riparian corridor would be removed (tree numbers 114, 148-157, 162, 169, as shown in Appendix D of Attachment 3 and Sheet C2 of Attachment 2).

The project would result in the removal of 86 trees total onsite. Of the 86 trees proposed for removal, 51 trees are subject to the City's Tree Ordinance, due to species, trunk size, or location within a creek setback. Based on the compensatory tree planting requirements of the City's Tree Ordinance, the applicant will be required to replant a minimum of one new tree onsite, or two offsite, for each of the 51 being removed, as set forth in the City Municipal Code (12.24.090). This application is subject to review and approval by the City Tree Committee. The project would not result in a conflict with local policies or ordinances protecting biological resources. Therefore, impacts would be *less than significant*.

f) The project is not located within an area governed by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved state, regional, or local habitat conservation plan. Therefore, the project would not conflict with the provisions of an adopted plan and *no impacts* would occur.

Mitigation Measures

BIO-1 **Implement a Rare Plant Mitigation Program that ensures no net loss of Cambria morning glory on the project site. Prior to any tract improvements,** a Rare Plant Mitigation Program shall be implemented for Cambria morning glory and shall be overseen by a qualified botanist approved by the City. As a component of the program, seed shall be collected from Cambria morning glory plants during the appropriate season prior to tract grading activities. Using standard procedures, the qualified botanist shall clean and store the seeds until the receiving sites shown on the project plans are ready. Suitable habitat of 2,180 square-feet in size outside of the development area (as designated on the site plans in the creek setback zone) shall be designated as the mitigation site that will be maintained in a natural state and not be subject to mowing earlier than June 1 each year. The areas will be maintained as grassland habitat and no planting of ornamental species or other adverse modifications (such as grazing activities) will be allowed. The mitigation site shown on the project plans is twice the size as the areas currently occupied by the rare plant occurrences (2,180 square-feet of habitat created for 1,076 square-feet of habitat impacted). This equates to a 2:1 mitigation ratio (habitat created to habitat impacted) to ensure a minimum 1:1 replacement ratio is achieved. Topsoil from each of the four occurrences will be collected in 6-inch lifts and stored for top-dressing the mitigation site once grading of the pads is complete. As needed, the mitigation site should be prepared for planting by removal of non-native species or other measures as necessary, then applying the salvaged topsoil. Once topsoil has been layered evenly through the area, collected seed should be hand-broadcasted into suitable locations by the qualified botanist and covered with compost. Seed may also be incorporated into the native

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

erosion control seed mix described in the Native Erosion Control Seed Mix table under Mitigation Measure BIO-9 and applied to other grassy areas of the site as part of the erosion control effort. Depending on the season when construction starts, the qualified botanist may also potentially salvage plants (i.e., dig them up when soils are moist) and transplant them to containers to be maintained until the mitigation sites are ready for planting.

BIO-2 **Conduct annual monitoring and implement adaptive management measures for 5 years to ensure no net loss of Cambria morning glory onsite.** The Rare Plant Mitigation Program shall include annual monitoring and maintenance of the mitigation site to ensure success of the program. Monitoring by a qualified botanist shall occur during the spring growing season (between April 15 and May 15 each year) to ensure successful establishment of planted propagules. The established rare plants shall be mapped to evaluate the goal of no net loss of the species onsite. The measurable objective shall be to have at least 1,076 sf of occurrence comprised of approximately 300 Cambria morning glory plants. Appropriate vegetation sampling techniques shall be used to assess the areal cover of vegetation to evaluate the status of the established occurrences. If the success criteria of having approximately 300 plants covering 1,076 sf within the creek setback zone is not reached by the third year of monitoring, remedial actions such as collecting more seed and distributing it in suitable areas should be employed, with a corresponding additional year of monitoring. Other activities to increase the success of the rare plant mitigation effort could include non-native plant species removal within the mitigation site to reduce competition, additional seed application, or supplemental irrigation during periods of prolonged drought. The qualified botanist shall prepare annual reports for the applicant detailing the methods and results of the mitigation effort and monitoring effort. The applicant shall be responsible for submitting the report to the City on an annual basis (by December 31 of each year) for the 5-year monitoring period or until the final success criteria described above are met.

BIO-3 **To the extent feasible, avoid initial site grading in the winter months.** The burrowing owl has been recorded in the vicinity of the project from October to the end of April. If initial vegetation removal and site grading for the tract improvements is conducted outside of this period, potential effects on this species would be avoided and no further mitigation would be required. Restricting the time period for earth-moving activities is also required to avoid or minimize the potential for erosion and sedimentation (see Mitigation Measure BIO-9). If initial grading work must commence during the time period that burrowing owls may be present onsite, preconstruction surveys for this species shall be included in the survey effort described in Mitigation Measure BIO-4 prior to vegetation removal or tract improvements.

BIO-4 **Conduct a preconstruction survey and avoid construction in areas occupied by special-status wildlife species until relocated or they have left the site. Within 7 days prior** to the start of vegetation/tree removal, ground-disturbing activities, or demolition of existing structures, a biologist approved by the City shall survey the project impact area to identify whether nesting birds, roosting bats, monarch butterfly overwintering populations, obscure bumble bee, and/or California legless lizard are present on site. A separate survey shall be conducted for any phase of the project not conducted concurrently or within 10 days of cessation of the previous phase (i.e., structure demolition conducted prior to general site grading). The biologist shall use appropriate survey techniques for the special-status species identified in the 2020 BRA as having potential to occur onsite. For example, burrows shall be examined with binoculars or wildlife cameras, and inspected for whitewash or prey remains. Leaf litter and cover objects shall be searched for northern California legless lizards. Potential bat roost sites shall be inspected for sign of roosting bats such as guano or prey remains. If any of these species are found onsite, the biologist shall coordinate with the City, and CDFW as appropriate, on methods to ensure the successful relocation of individuals to suitable habitat nearby. In some cases, CDFW may recommend creating structures for displaced woodrats and bats. Burrowing owls can be discouraged from using burrows onsite, or occupied burrows can be avoided until the owls have left the area. Bats can be restricted from roost sites by placing netting over their entrances after they have left the roost for night-time foraging. The wildlife protection measures to be employed will be based on the results of the survey and the particular characteristics of their use of the site, in coordination with CDFW and the construction engineer. If no special-status animal species are found onsite during the preconstruction survey, work may proceed with the implementation of the following Mitigation Measures BIO-5 through BIO-7.

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

BIO-5 **Prepare and present a Worker Environmental Awareness Program. Prior to any vegetation removal or tract improvements,** a qualified biologist shall prepare a Worker Environmental Awareness Program that will be presented to all project personnel. This program shall detail measures to avoid and minimize impacts on biological resources. It shall include a description of special-status species potentially occurring on the project site and their natural history, the status of the species and their protection under environmental laws and regulations, and the penalties for take. Recommendations shall be given as to actions to avoid take should a special-status species be found on the project site. Other aspects of the training shall include a description of general measures to protect wildlife, including:

1. Delineation of the allowable work area, staging areas, access points, and limits to vehicle access;
2. Storage of all pipes, metal tubing, or similar materials stored or stacked on the project site for one or more overnight periods shall be either securely capped before storage or thoroughly inspected for wildlife before the materials are moved, buried, capped, or otherwise used.
3. Inspection of materials stored onsite, such as lumber, plywood, and rolls of silt fence, for wildlife that may have sheltered under or within the materials;
4. Use of netting to exclude birds from nesting in construction materials;
5. Construction of escape ramps in all excavations and trenches more than 6 inches deep;
6. Contact information for the City-approved biologist and instructions should any wildlife species be detected in the work site;
7. Dust suppression methods during construction activities when necessary to meet air quality standards and protect biological resources; and
8. Methods for containment of food-related trash items (e.g., wrappers, cans, bottles, food scraps), small construction debris (e.g., nails, bits of metal and plastic), and other human generated debris (e.g., cigarette butts) in animal-proof containers and removal from the site on a weekly basis.

All project personnel who have attended the training shall sign an attendance sheet. The program shall be repeated for any new crews that arrive subsequently on the site.

BIO-6 **Install high-visibility construction and silt fence along the creek corridor to delineate the allowable work area, exclude wildlife from the site, and protect the stream habitat. Prior to vegetation removal or tract improvements, and during subsequent residential development for Lots 1-7,** a high-visibility construction fence at least 4 feet tall together with a silt fence, or an approved wildlife exclusion fence, shall be erected along the creek corridor to delineate the limits of grading and vehicle access. If possible, the fence shall be erected along the creek setback line, and encroachment into the setback shall be kept at a minimum. In no case shall ground disturbance occur within the riparian habitat or below the top of bank without obtaining proper permits from regulatory agencies. The type of fence used may be a combination of wildlife exclusion and silt fence (i.e., ERTEC Triple-function E-fence) or similar materials that would serve the purposes of safety/construction area delineation, wildlife exclusion, and siltation prevention. The fence shall be checked weekly by construction personnel for needed maintenance**.**

BIO-7 **Conduct biological monitoring for special-status wildlife species while the property is cleared and graded, and structures are removed.** A qualified biologist shall monitor the removal of structures, materials, and vegetation that may provide cover for obscure bumble bee, northern California legless lizards, and bat roosting sites. The biologist shall be onsite daily until all materials are removed and all vegetation has been cleared. If any special-status species are found, work shall be delayed until the individuals have left the work area or CDFW shall be notified to obtain authorization for capture and relocation.

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

BIO-8 **Avoid vegetation removal within the riparian habitat during the overwintering season**. Vegetation removal within the riparian area shall be conducted outside of the overwintering season for monarch butterfly (late October through February) and obscure bumble bee (late October through January) to avoid disturbance to species potentially inhabiting riparian vegetation.

BIO-9 **Install erosion and sediment BMPs and revegetate graded areas.** The following erosion and sedimentation control BMPs are required to be implemented during vegetation removal, tract improvements, during individual lot construction, and after the construction phases of the project:

1. If possible, the potential for erosion and sedimentation shall be minimized by scheduling construction to occur outside of the rainy season, which is typically defined as October 15 through April 15. Adherence to this measure would also serve as avoidance for the burrowing owl, as described in Mitigation Measure BIO-3.
2. To minimize site disturbance, all construction related equipment shall be restricted to established roads, construction areas, and other designated staging areas. The creek setback zone shall be clearly marked as described in Mitigation Measure BIO-6.
3. Prior to any site disturbance during tract improvements or individual lot construction, a Sediment and Erosion Control Plan shall be prepared by a qualified engineer. The use of silt fence, straw wattles, erosion control blankets, straw bales, sandbags, fiber rolls, and other appropriate techniques should be employed to protect the drainage features on and off the property. Biotechnical approaches using native vegetation shall be used as feasible. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection BMPs installed to prevent erosion potential. All sediment and erosion control measures shall be installed per the engineer's requirements prior to the initiation of site grading if planned to occur within the rainy season.
4. Spill kits shall be maintained on the site, and a Spill Response Plan shall be in place.
5. No vehicles or equipment shall be refueled within 100 feet of wetland areas, riparian habitat and/or drainage features, and refueling areas shall have a spill containment system installed. No vehicles or construction equipment shall be stored overnight within 100 feet of these areas unless drip pans or ground covers are used. All equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Construction staging areas shall be located in a location where spills would not drain into aquatic habitats.
6. No concrete washout shall be conducted on the site outside of an appropriate containment system. Washing of equipment, tools, etc. should not be allowed in any location where the tainted water could enter onsite drainages.
7. The use of chemicals, fuels, lubricants, or biocides shall be in compliance with all local, state, and federal regulations. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation.
8. All project-related spills of hazardous materials within or adjacent to the project site should be cleaned up immediately.
9. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection BMPs installed to prevent erosion potential. Silt fencing, erosion control blankets, straw bales, sandbags, fiber rolls, and/or other types of materials prescribed on the plan shall be implemented to prevent erosion and sedimentation. Biotechnical approaches using native vegetation shall be used as feasible.
10. Areas with disturbed soils shall be restored under the direction of the project engineer in consultation with a qualified restoration ecologist as detailed above. Methods may include recontouring graded areas to blend in with existing natural contours, covering the areas with salvaged topsoil containing native

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

seedbank from the site, and/or applying the native seed mix as described in the table below. Native seed mix shall be applied to the graded areas in the creek setback area through either direct hand seeding or hydroseeding methods. Seeding with the native erosion control seed mix should be provided on all disturbed soil areas prior to the onset of the rainy season (by October 15).

Native Erosion Control Seed Mix

Species	Application Rate (lbs/acre)
California Brome (*Bromus carinatus*)	10
purple needlegrass (*Stipa pulchra*)	5
tomcat clover (*Trifolium wildenovii*)	5
six weeks fescue (*Vulpia microstachys*)	5
Total	**25**

BIO-10 **Obtain necessary permits for impacts in jurisdictional areas, implement a compensatory mitigation program, and monitor the success of the program to ensure no net loss of Riparian/Wetland habitat or other waters on the subject property.** Prior to any vegetation removal or site disturbance within the areas delineated as jurisdictional features (Figure 5, Aquatic Resources Delineation 2021), the applicant shall provide documentation to the City that a Clean Water Act Section 404 Permit from USACE, a Clean Water Act Section 401 Water Quality Certification from RWQCB, and a California Fish and Game Code Section 1602 Lake and Streambed Alteration Agreement from CDFW have been obtained or have been determined by the regulatory agencies to not be required.

~~If regulatory permits are required,~~ ***P***rior to the initiation of vegetation removal or tract improvements, the applicant shall retain a qualified biological monitor to ensure compliance with all Clean Water Act***, City of San Luis Obispo stormwater and water quality requirements,*** and CDFW permit requirements during work adjacent to the creek. The monitor shall be present during the installation of the construction fencing delineating the limits of work in relation to the edge of riparian, creek top of bank, and 20-foot creek setback buffer, as described in Mitigation Measure BIO-6. Since the Cambria morning glory compensatory mitigation site is to be located within this buffer, the monitor shall direct appropriate wildlife exclusion and erosion control BMPs to protect riparian habitat during site preparation for planting. The monitor shall be present during construction of the rip rap pad and any other work within the creek setback area on stormwater structures. The monitor shall also oversee removal of non-native tree species and site preparation for tree planting within the setback. If a Habitat Mitigation and Monitoring Plan (HMMP) is required by the regulatory agencies, the applicant shall provide a copy of the plan to the City and the biological monitor shall be responsible for successful implementation of the plan.

BIO-11 **Record a Biological Easement and Biological Easement Agreement protecting riparian area:** A Biological Easement and Biological Easement Agreement shall be recorded in conjunction with the final map recordation. The easement agreement shall be developed by the applicant in a format provided by the City. The following activities are permitted within the biological easement, subject to the review and approval by the City Sustainability and Natural Resources Official:

1. Stormwater improvements.
2. Removal of non-native trees.
3. Restoration and creek bank stabilization activities.

No future paving or structures shall be permitted within the biological easement. Creek setback standards shall be applied to the easement area, consistent with municipal code requirements.

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Conclusion

The project site supports native and ruderal plant species as well as Cambria morning glory, which is a special-status plant species, and several riparian and ornamental tree species. The site also supports special-status wildlife habitat that could be affected by the proposed project. Mitigation measures have been identified to reduce or avoid impacts to special-status plants and wildlife species. A wetland area is supported on the western portion of the project area and a 20-foot setback would be implemented from the riparian edge of the area. In addition, mitigation has been identified to reduce impacts to construction activity within the riparian area. Tree removal associated with the project would be mitigated through compliance with the City's Tree Ordinance but could result in impact to nesting birds and roosting bats. Compliance with existing regulations would ensure impacts to riparian habitats and sensitive natural communities would be less than significant. With implementation of Mitigation Measures **BIO-1** through **BIO-11**, project impacts to biological resources would be less than significant.

5. CULTURAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historic resource pursuant to §15064.5?	19, 20	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	59	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	59	☐	☒	☐	☐

Evaluation

Pre-Historic Setting

Archaeological evidence demonstrates that Native American groups (including the Chumash) have occupied the Central Coast for at least 10,000 years. The city is located within the area historically occupied by the Obispeño Chumash, the northernmost of the Chumash people of California. The Obispeño Chumash occupied much of San Luis Obispo County; the earliest evidence of human occupation in the region comes from archaeological sites along the coast. The project site is not located within a Burial Sensitivity Area as identified in COSE Figure 1: Cultural Resources.

Historic Setting

The COSE establishes various goals and policies to balance cultural and historical resource preservation with other community goals. These policies include, but are not limited to, the following:

1. Identification, preservation, and rehabilitation of significant historic and architectural resources;
2. Prevention of demolition of historically or architecturally significant buildings unless doing so is necessary to remove a threat to health and safety;
3. Consistency in the design of new buildings in historical districts to reflect the form, spacing, and materials of nearby historic structures; and
4. Identification and protection of neighborhoods or districts having historical character due to the collective effect of Contributing or Master List historic properties.

The project site is not located within the Historic Preservation (H) Overlay Zone, nor does it contain any built structures that may be considered potentially eligible historic resources.

The following analysis of Cultural Resources is predominately based on the Cultural Resources Survey conducted by Central Coast Archaeological Resource Consultants (CCARC) for the project site (CCARC 2020).

a) The project proposes to demolish the two existing residential structures located on the project site; however, the residential units were not determined to have historical significance by the Cultural Resources Survey conducted for the project. Therefore, the project site does not currently contain, nor is it located near, any historic resources identified in the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR). The project site is not identified on the City's Historic Properties map; therefore, the project would not result in a substantial adverse change in the significance of, or any other adverse impact to, a historical resource and impacts would be *less than significant*.

b) The Cultural Resources Report conducted by CCARC in February 2020 concluded that despite the project site's location on land with moderate archaeological sensitivity, desktop review and an intensive archaeological field survey of the project site did not identify any cultural resources. Based on this conclusion, no further archaeological survey is necessary for the project site. However, based on the large scale of grading and earthwork required for the project, Mitigation Measure **CR-1** has been identified to identify the proper procedures and contact in the event an inadvertent discovery of an archaeological or historical resource is made. Implementation of Mitigation Measure **CR-1** would reduce impacts in the event an archaeological resource is uncovered during excavation and other groundwork activities during project construction; therefore, impacts would be *less than significant with mitigation.*

c) The project site is not located within a Burial Sensitivity Area associated with San Luis Obispo Creek identified in COSE Figure 1: Cultural Resources. No human remains are known to exist within the project site; however, the discovery of unknown human remains is a possibility during ground-disturbing activities. Protocol for properly responding to the inadvertent discovery of human remains is identified in California Health and Safety Code Section 7050.5 and is detailed in Mitigation Measure **CR-2**. With implementation of Mitigation Measure **CR-2**, potential impacts to human remains would be *less than significant with mitigation*.

Mitigation Measures

CR-1 **Discovery of Previously Unidentified Cultural Resources.** In the event that historical or archaeological remains are discovered during ground-disturbing activities associated with the project, an immediate halt work order shall be issued, and the City Community Development Director shall be notified. A qualified archaeologist shall conduct an assessment of the resources and formulate proper mitigation measures, if necessary. After the find has been appropriately mitigated, work in the area may resume. These requirements shall be noted on the project's final map and all improvement/construction plans.

CR-2 **Discovery of Human Remains.** In the event that human remains are exposed during ground-disturbing activities associated with the project, an immediate halt work order shall be issued, and the City Community Development Director shall be notified. California Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. These requirements shall be noted on the project's final map and all improvement/construction plans.

Conclusion

Based on the records search conducted through the Central Coast Information Center, no known historical or archaeological resources are present onsite. Mitigation Measures **CR-1** and **CR-2** have been identified above to require appropriate protocol for inadvertent resource discovery and discovery of human remains. With implementation of Mitigation Measures **CR-1** and **CR-2** identified above, potential impacts to cultural resources would be reduced to less than significant.

6. ENERGY

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	21, 22, 23	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	21, 22, 23	☐	☐	☒	☐

Evaluation

PG&E has historically been the primary electricity provider for the City. In October 2018, the City Council committed to joining the Monterey Bay Community Power (MBCP) and, beginning in January 2020, MBCP became the City's primary electricity provider. In September 2020, MBCP became Central Coast Community Energy (3CE); 3CE will strive to provide 100% carbon-free electricity to utility customers within the city by 2030, and provides a rate savings relative to PG&E.

The City recently adopted the Clean Energy Choice Program for New Buildings, which encourages clean, efficient, and cost-effective all-electric new buildings through incentives and local amendments to the California Energy Code. When paired with cost-comparable modern electric appliances and carbon-free electricity from 3CE, all-electric new buildings are operationally greenhouse gas (GHG) emissions free, cost effective, and help achieve the community's climate action goals. Unlike other cities that are banning natural gas entirely, the proposed Clean Energy Choice Program encourages clean, efficient, and cost-effective all-electric new buildings through incentives, local amendments to the California Energy Code, and implementation of the Carbon Offset Program. New projects wishing to use natural gas will be required to build more efficient and higher performing buildings and offset natural gas use by performing retrofits on existing buildings or by paying an in-lieu fee that will be used for the same purpose.

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements.

The COSE establishes goals and policies to achieve energy conservation and increase use of cleaner, renewable, and locally controlled energy sources. These goals include increasing the use of sustainable energy sources and reducing reliance on non-sustainable energy sources to the extent possible and encouraging the provision for and protection of solar access. Policies identified to achieve these goals include, but are not limited to, use of best available practices in energy conservation, procurement, use, and production; energy-efficiency improvements; pedestrian- and bicycle-friendly facility design; fostering alternative transportation modes; compact, high-density housing; and solar access standards.

The *City of San Luis Obispo Climate Action Plan for Community Recovery* also identifies strategies and policies to increase use of cleaner and renewable energy resources in order to achieve the City's GHG emissions reduction target. These strategies include promoting a wide range of renewable energy financing options, incentivizing renewable energy generation in new and existing developments, and increasing community awareness of renewable energy programs. The Climate Action Plan was updated in August 2020.

a) During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary in nature and would be typical of other similar construction activities in the city. Current federal and state regulations require fuel-efficient equipment and vehicles and prohibit wasteful activities, such as diesel idling; therefore, potential impacts associated with construction energy use would be *less than significant*.

Specific development plans are currently unknown; however, it can be assumed that each parcel will be developed as a single-family residential use, with ADUs and JADUs as potential accessory uses. Based on this assumption, the project would result in an overall increase in consumption of energy resources associated with vehicle trips and electricity and natural gas usage by future project occupants. The project would be designed in full compliance with the CBC and the City's adopted amendments (Title 15 of the Municipal Code), including applicable green building standards, ensuring a high standard for energy efficiency in building design, materials, light fixtures, and appliances. The project would rely on the local electricity service provider, 3CE, to supply project electricity needs. Compliance with existing regulations would ensure the project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Through use of 100% GHG-free electricity resources, project energy use would not result in a significant environmental impact; therefore, impacts would be *less than significant.*

b) The project would be designed in full compliance with the CBC and the City's adopted amendments (Title 15 of the Municipal Code), including applicable green building standards. The project would be consistent with energy goals and policies in the COSE associated with use of best available practices in energy conservation. The project would be consistent with other goals and policies set forth in the Climate Action Plan associated with renewable energy or energy efficiency, including the provision of compact, high-density housing. Therefore, the project would not result in a conflict with, or obstruction of, a state or local plan for renewable energy or energy efficiency, and impacts would be *less than significant.*

Mitigation Measures

No mitigation is required.

Conclusion

Future development would be designed in full compliance with applicable energy efficiency standards and would not conflict with state or local plans for renewable energy or energy efficiency. No potentially significant impacts related to energy would occur, and no mitigation measures are necessary.

7. GEOLOGY AND SOILS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	1, 2, 3, 23, 24, 25	☐	☐	☒	☐
ii. Strong seismic ground shaking?	1, 2, 23, 24, 25	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	1, 2, 3, 23, 25	☐	☐	☒	☐
iv. Landslides?	1, 2, 3, 23, 25	☐	☐	☒	☐

b) Result in substantial soil erosion or the loss of topsoil?	1, 2, 3, 23, 27	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	1, 2, 3, 23, 26, 27, 28	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 1802.3.2 of the California Building Code (2013), creating substantial direct or indirect risks to life or property?	1, 2, 3, 23, 27, 28	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1, 2, 3, 8, 23	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 2, 59	☐	☐	☒	☐

Evaluation

The *City of San Luis Obispo General Plan Safety Element* identifies active, potentially active, and inactive mapped and inferred faults with the potential to affect the city in the event of rupture. The Los Osos Fault, adjacent to the city of San Luis Obispo, is identified under the State of California Alquist-Priolo Fault Hazards Act and is classified as active. The West Huasna, Oceanic, and Edna Faults are considered potentially active and present a moderate fault rupture hazard to developments near them. The San Andreas Fault and the offshore Hosgri Fault, which present the most likely source of ground shaking for San Luis Obispo, have a high probability of producing a major earthquake within an average lifespan. The highest risk from ground shaking is found on deep soils that were deposited by water, are geologically recent, and have many pore spaces among the soil grains. These soils are typically found in valleys.

Faults capable of producing strong ground-shaking motion in San Luis Obispo include the Los Osos, Point San Luis, Black Mountain, Rinconada, Wilmar, Pecho, Hosgri, La Panza, and San Andreas Faults. Engineering standards and building codes set minimum design and construction methods for structures to resist seismic shaking. Based on the DOC Fault Activity Map and the Safety Element Earthquake Faults – Local Area map, the project site is not located within or within the immediate vicinity of an active fault zone.

As discussed in the City's 2014 LUCE Update Environmental Impact Report (EIR), San Luis Obispo lies within the southern Coast Range Geomorphic Province. This province lies between the Central Valley of California and the Pacific Ocean and extends from Oregon to northern Santa Barbara County. The Coast Range province is structurally complex and comprised of sub-parallel northwest–southeast trending faults, folds, and mountain ranges.

Rock types in the San Luis Obispo area are mainly comprised of volcanic rock, metavolcanic rock, and a mixture of serpentinite and greywacke sandstone. These rocks are highly fractured and are part of the Mesozoic-aged Franciscan Formation. Intrusive and extrusive volcanic deposits of Tertiary-age and marine sedimentary deposits of the Miocene-aged Monterey Formation are also found in the area. The most distinctive geomorphological feature of the San Luis Obispo area is the series of Tertiary-aged volcanic plugs (remnants of volcanoes), known as the Nine Sisters or the Morros, that extend from the city of San Luis Obispo northwesterly to the city of Morro Bay. Hollister Peak, Bishop Peak, Cerro San Luis Obispo, Islay Hill, and Morro Rock are all comprised of these volcanic plugs.

Seismic-Related Ground Failure

Settlement is defined as the condition in which a portion of the ground supporting part of a structure or facility lowers more than the rest or becomes softer, usually because ground shaking reduces the voids between soil particles, often with groundwater rising in the process. Liquefaction is the sudden loss of the soil's supporting strength due to groundwater filling and lubricating the spaces between soil particles as a result of ground shaking. Soils with high risk for liquefaction are typically sandy and in creek floodplains or close to lakes. In extreme cases of liquefaction, structures can tilt, break apart, or sink into the ground. The

likelihood of liquefaction increases with the strength and duration of an earthquake. Based on the Ground Shaking and Landslide Hazards Map in the Safety Element, the project site is not located within an area of high liquefaction potential.

Slope Instability and Landsides

Slope instability can occur as a gradual spreading of soil, a relatively sudden slippage, a rockfall, or in other forms. Causes include steep slopes, inherently weak soils, saturated soils, and earthquakes. Improper grading and manmade drainage can be contributing factors. Much of the development in San Luis Obispo is in valleys, where there is low potential for slope instability. Based on the Ground Shaking and Landslide Hazards Map in the Safety Element, the project site is located within an area with moderate landslide potential.

Subsidence

Land subsidence is a gradual settling or sudden sinking of the earth's surface due to subsurface movement of earth materials. Primary causes are groundwater withdrawal, in which water is removed from pore space as the water table drops, causing the ground surface to settle; tectonic subsidence, where the ground surface is warped or dropped lower due to geologic factors such as faulting or folding; and earthquake-induced shaking that causes sediment liquefaction, which in turn can lead to ground-surface subsidence. Based on the U.S. Geological Survey (USGS) Areas of Land Subsidence in California Map, the project site is not located in an area of known subsidence.

Soil-Limiting Factors

The project site is underlain by Los Osos-Diablo complex (9 to 15 percent slopes) and Cropley clay (2 to 9 percent slopes) soil units. The Los Osos-Diablo complex is characterized as well drained with a very high runoff class and Cropley clay is characterized as moderately drained with a moderate runoff class. The project site is underlain by soils that are predominantly clayey and would have a moderate to high shrink/swell potential as a result. The slope of the project site is generally flat to slightly sloping, with an average of 8 percent slopes. Foundations and footings should be designed to offset shrink-swell potential, and the low strength of the clay subsoil. These soil characteristics can require that the subgrade be removed and replaced with a more suitable material or that a high degree of compaction and moisture control be maintained.

a.i) The project site is located approximately 2.8 miles east from the Los Osos Fault Zone and 1.9 miles west from the Cambria fault zone. There are no fault lines that run under or adjacent to the project site; therefore, direct impacts related to fault rupture are not anticipated. Because San Luis Obispo is located in a seismically active region, it has adopted building standards to protect structures and individuals. Development plans are not currently specified; however, future development of the proposed parcels would be designed to comply with the CBC (including Title 15 amendments) and other applicable guidelines. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault, and impacts would be *less than significant*.

a.ii, iii) As discussed in (a.i) above, San Luis Obispo is located in a seismically active region where there is always the potential for ground shaking. According to Section 1613 of the 2019 CBC, all structures and portions of structures are required to be designed to resist the effects of seismic loadings caused by earthquake ground motions. Future residential units developed at the project site would comply with the CBC and other applicable regulations for earthquake hazards. According to the City's Safety Element, soils found at the project site have a low potential for liquefaction risk. Assuming that any and all future development of the project site is compliant with CBC and other federal and state regulations, the potential to result in substantial adverse effects involving seismic ground shaking and ground-related failure would be *less than significant*.

a.iv) According to the City's Ground Shaking & Landslide Hazards Map, the project site is located in an area that has a low risk for landslides. The project area is comprised of predominantly flat to slightly sloping land and does not consist of moderate to steep slopes that would increase risk for landslides at the proposed site. Future developments would comply with the CBC, which requires, at a minimum, a soils report for new residential development, and other applicable regulations to reduce the potential for the project to result in substantial adverse effects involving landslides to *less than significant*.

b) Proposed project construction requires 4.27 acres of ground disturbance including 7,900 cy of cut and 4,760 cy of fill, which has the potential to release erosive runoff into the creek and associated wetland areas that may cause adverse effects to water quality. Additionally, the project would remove 86 trees, including 13 non-native trees within the

riparian corridor. The project proposes to disturb more than one-acre of soil and would require the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) with BMPs to avoid or reduce erosive or polluted runoff from entering the onsite creek and associated wetland area. Section 4, Biological Resources, identifies Mitigation Measure **BIO-9**, which outlines BMPs that would reduce construction impacts related to erosive runoff. Project development would be required to comply with the Central Coast RWQCB requirements set forth in the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region.

Future development as a result of the subdivision will be single-family residential uses, with ADUs and JADUs as potential accessory uses, potential removal of additional existing trees, and connections to the proposed utility lines. Grading activity for future development is proposed for current parcel improvements; therefore, it is unlikely that future development would require more than one-acre of groundwork and would not need to develop and implement a SWPPP. However, future development would be required to comply with the Central Coast RWQCB Post-Construction Requirements (PCRs), and physical improvement of the project site would be required to comply with the drainage requirements of the City's Waterways Management Plan. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City's watershed. Therefore, through implementation of Mitigation Measure **BIO-9** and compliance with existing regulations, impacts related to violation of water quality standards would be *less than significant with mitigation.*

c) According to the City's Ground Shaking and Landslide Hazards Map, the project site is not located within an area with high landslide or liquefaction potential (City of San Luis Obispo 2014). The soils present at the project site currently support two existing residential units and associated structures and features. Future development would be required to comply with the CBC and other applicable regulations for building standards. Based on compliance with existing regulations and Code requirements, impacts would be *less than significant*.

d) Soils with high shrink/swell potential are predominantly comprised of clay and clay materials. The project site is underlain by soils that contain clay and clay materials; therefore, the soils have a low to moderate shrink/swell potential. The volume changes that soils undergo in this cyclical pattern can stress and damage slabs and foundations. Typical precautionary measures would likely include premoistening the underlying soil in conjunction with placement of non-expansive material beneath slabs, and a deepened and more heavily reinforced foundation. In addition, future development facilitated by implementation of this project would be required to be designed in compliance with standard seismic design criteria established in the CBC to reduce risk associated with ground failure, including from expansive soils. Therefore, based on compliance with existing regulations, impacts related to expansive soils would be *less than significant*.

e) The project would utilize an existing sewage connection and would also include a new connection to the City sewer system. No septic tanks or alternative wastewater treatment systems are proposed onsite. Therefore, *no impacts* would occur.

f) The project site is underlain late Mesozonic sandstones and shales, early to mid-Cenozonic siltstones, igneous and intrusive rock, and quaternary alluvium (CCARC 2020). There are no known paleontological resources on the project site and there are no unique geologic features on the property. For subdivision improvements, 4.27 acres of grading and excavation activity are proposed (i.e., road improvements and utility trenching), and future residential foundations will likely remove expansive soils to comply with the CBC. Based on the low sensitivity of the underlying geologic unit, the lack of proposed activities that would result in significant cuts into bedrock, and the surrounding developed areas, the project would not have the potential to result in impacts to a unique paleontological resource or unique geologic feature, and potential impacts would be *less than significant.*

Mitigation Measures

Implement Mitigation Measure **BIO-9**.

Conclusion

Based on the location of the project site and underlying geologic and soil properties, and compliance with existing regulations, potential impacts would be less than significant. Parcel improvements have the potential to result in erosion and sedimentation

that could runoff into nearby water resources. Implementation of Mitigation Measure **BIO-9** and compliance with existing regulations would reduce construction impacts related to erosion and impacts to Geology and Soils would be less than significant.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	11, 12, 22, 55	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	11, 12, 22, 55	☐	☐	☒	☐

Evaluation

GHGs are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section 3, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. In 2012, the City established a Climate Action Plan that identified measures and implementation strategies in order to achieve the City's GHG reduction target of 1990 emission levels by 2020. The City's Climate Action Plan was recently updated and outlines a plan for achieving carbon neutrality by 2035. The City's 2016 Community Wide GHG emissions inventory showed that 63% of the city's GHG emissions came from transportation, 13% came from commercial and industrial uses, 11% came from residential uses, and 13% from waste.

Statewide legislation, rules, and regulations have been adopted to reduce GHG emissions from significant sources. Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state's GHG reduction goals and required the CARB to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40% below 1990 levels by 2030, and 80% below 1990 levels by 2050. Other statewide policies adopted to reduce GHG emissions include AB 32, SB 375, and SB 97, as well as the Clean Car Standards, Low Carbon Fuel Standard, Renewable Portfolio Standard, CBC, and California Solar Initiative.

The City recently updated its Climate Action Plan. The plan establishes a community-wide goal of carbon neutrality by 2035, adopts sector specific goals, and provides foundational actions to establish a trajectory towards achieving those goals. Appendix C of the Climate Action Plan Update includes thresholds and guidance for the preparation of GHG emissions analysis under CEQA for projects within the City. To support progress toward the City's long-term aspirational carbon neutrality goal, plans and projects within the City that undergo CEQA review will need to demonstrate consistency with targets in the Climate Action Plan, a qualified GHG reduction strategy, consistent with State CEQA Guidelines Section 15183.5. According to the adopted SLOAPCD guidance, if a project is consistent with a qualified GHG reduction strategy, such as the City's Climate Action Plan, the project would not result in a significant impact.

In October 2018, the City Council committed to joining 3CE, an existing community choice energy program that serves the counties of Santa Cruz, San Benito, and Monterey and provides 100% carbon-free electricity with a rate savings relative to PG&E. Additionally, the City recently adopted the Clean Energy Choice Program for New Buildings, which encourages clean, efficient, and cost effective all-electric new buildings through incentives and local amendments to the California Energy Code. When paired with cost comparable modern electric appliances and carbon-free electricity from 3CE, all-electric new buildings are operationally GHG emissions free, are cost effective, and help achieve the community's climate action goals.

a, b) Construction-related activities that would generate GHG emissions include worker trips and hauling trips to and from the project site, as well as off-road construction equipment (e.g., dozers, loaders, excavators). Construction activity also requires 4.27 acres of ground disturbance that has the potential to generate ROG and NO_x, which are ozone precursors. Impacts related to GHG emissions occur on a global scale and are, therefore, cumulative in nature. Short-term construction-related emissions rarely result in a considerable contribution to GHG emissions. Operational-related activities that would typically generate GHG emissions include residential trips, solid waste disposal, and energy consumption.

The demographic forecasts and land use assumptions of the Climate Action Plan are based on the City's LUCE. If a plan or project is consistent with the existing 2014 General Plan land use and zoning designations of the project site, then the project would be considered consistent with the demographic forecasts and the land uses assumptions of the Climate Action Plan. The project would be consistent with the land use and zoning designation for the existing parcel; therefore, the project is expected to be consistent with the demographic and land use assumptions used for the development of the City's latest Climate Action Plan.

As discussed previously, the City recently adopted the 2020 Climate Action Plan, which identifies six pillars, each of which include long-term goals, measures, and foundational actions for reducing GHG emissions throughout the city. The pillars include:

1. Leading by Example: Create a Municipal Action Plan by 2020 and achieve carbon-neutral government operations by 2030.
2. Clean Energy Systems: Achieve 100% carbon-free electricity by 2020.
3. Green Buildings: Generate no net new building emissions from on-site energy use by 2020 and achieve a 50% reduction in existing building on-site emissions (after accounting for 3CE) by 2030.
4. Connected Community: Achieve the General Plan mode split objective by 2030 and have 40% VMT by electric vehicles by 2030.
5. Circular Economy: Achieve 75% diversion of landfilled organic waste by 2025 and 90% by 2035.
6. Natural Solutions: Increase carbon sequestration on the San Luis Obispo Greenbelt and Urban Forest through compost application-based carbon farming activities and tree planting to be ongoing through 2035.

Projects that are consistent with the demographic forecasts and land use assumptions used in the Climate Action Plan can utilize the City's CEQA GHG Emissions Analysis Compliance Checklist to demonstrate consistency with the Climate Action Plan's GHG emissions reduction strategy. The proposed project does not propose any new buildings that would be applicable to green building and other energy efficiency standards. Parcel improvements would result in 23 new lots, a new interior connection road, and new utility infrastructure and easements. One of the utility easements would be 17 feet wide and would also be used as bicycle and pedestrian access to and from the site. The proposed project has the potential to developed single-family residential uses, with ADUs and JADUs as potential accessory uses, that would be subject to energy efficiency standards and could increase population and VMT to the project area. The project site is located 0.2 mile north from two bus stops, and additional bus stops are located on Foothill Boulevard approximately 0.5 mile south that would facilitate future residential transit use. In addition, the project is within close walking or biking distance to nearby retail and services, including grocery stores, restaurants, and medical services located approximately 0.56 mile away, which is consistent with the updated Climate Action Plan. Based on the City's Residential VMT Screening Map, the project is located in an area of the City that would result in average VMT less than or equal to 85% of the regional average, meaning a project in this area would result in reduced VMT. Specific development plans are currently unknown; however, future residential development would likely utilize GHG-free energy through participation in 3CE and with compliance with the City's Clean Energy Choice Program for New Buildings. New development would also be required to comply with applicable green building standards identified in the updated Climate Action Plan. The project would maintain, where feasible, onsite trees and vegetation and would plant native vegetation at the project site. Based on design elements of the proposed project, the project would be consistent with the goals in the updated Climate Action Plan; therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Conclusion

The project would be located and designed to minimize GHG emissions and would not result in a conflict with an applicable plan or policy adopted for reducing GHG emissions. The project would be consistent with the City's Climate Action Plan, a qualified GHG reduction strategy. No potentially significant impacts associated with GHG emissions have been identified, and no mitigation measures are necessary.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	1, 2	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	1, 2	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1, 2, 3	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	30, 31, 32	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	2, 3, 42, 43	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	25	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	1, 2, 23, 25	☐	☐	☒	☐

Evaluation

The Hazardous Waste and Substances Site (Cortese) List is a planning tool used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California EPA (CalEPA) to develop at least annually an updated Cortese List. Various State and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control (DTSC) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, State response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board (SWRCB) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites that meet the Cortese List requirements are included on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/.

a) The project does not propose the long-term transportation, use, or disposal of hazardous materials. Short-term construction materials may be transported during development of the proposed improvements to the property and during future development of one- and two-story single-family residences. Hazardous materials would be properly handled to according to federal and State regulations, including response and clean-up requirements for any minor spills. Therefore, potential impacts would be *less than significant*.

b) The long-term use of the project would be residential units that would not use hazardous materials other than commonly used household substances within the project site (e.g., cleaners, solvents, oils, paints, etc.). Construction of the

proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and State environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Therefore, potential impacts would be *less than significant*.

c) The project site is located approximately 0.47 mile east of Bishop Peak Elementary School. California Polytechnic State University, San Luis Obispo (Cal Poly), is located approximately 500 feet east, across Highway 1. While the project would be located within 0.25 mile of Cal Poly, the eastern portion of the school property that is closest to the project site is developed with experimental agricultural crops. The project site is approximately 0.63 mile from the nearest educational instruction buildings, and approximately 1.0 mile from the onsite residential dormitory areas. Therefore, impacts would be *less than significan*t.

d) According to the CalEPA Cortese List resources, including the DTSC EnviroStor and SWRCB GeoTracker databases, there are no hazardous materials sites on or within 1,000 feet of the project site. Based on the local nature and the existing and historic traffic levels on Stanford Drive, Cuesta Drive, and Westmont Drive, the potential for these roadways to contain hazardous levels of aerially deposited lead (ADL) is negligible. No known mining activities have occurred within or near the project site and no known use of organochlorinated pesticides have occurred. Therefore, *impacts would be less than significant*.

e) The nearest airport is the San Luis Obispo County Regional Airport, located approximately 4.5 miles south of the project site. The project is not located within the boundaries of the airport land use plan and project development would not adversely impact airport operations. Similarly, airport operations would not result in a substantial safety hazard. Therefore, impacts would be *less than significant.*

f) The City has identified goals regarding emergency response plans in its Safety Element. The proposed site improvements for future development include the creation of fire safety measures, including an emergency access easement and improved access roads. Project development has the potential to create temporary traffic controls to residential streets but would not result in street closures that would block emergency access. Future development would be designed to comply with building and fire code regulations, as well as City requirements for fire safety; therefore, potential impacts would be *less than significant*.

g) According to the City's Wildland Fire Hazards Map, the project is located within a low wildland fire severity zone and surrounding land is located within a moderate wildland fire severity zone. The nearest fire station is San Luis Obispo City Fire Station #2, located approximately 0.56 mile south of the project site on Chorro Street. Emergency response times for the project site are less than 5 minutes. The project would consist of infill development within an existing neighborhood and would not substantially increase wildfire risks. The project proposes the development of improvements for fire hazard safety that include an emergency access easement, upgraded roads, necessary water connections, removal of non-native vegetation and ornamental and native trees, and other measures identified in Mitigation Measures **WF-1** and **WF-2**, included in Section 20, Wildfire. The future development of residential structures would follow CBC and other design regulations for fire hazards. Therefore, people and/or structures would not be exposed to significant risk and the impact would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measures **WF-1** and **WF-2**.

Conclusion

The project would not result in the routine transportation or storage of hazardous materials. The project is not located on a known hazardous waste site and is not within close proximity to a school or airport. Potential impacts related to hazards, including emergency access and wildfire, would be less than significant.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	34, 35, 41, ***65***	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	37, 38, 39	☐	☒	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i. Result in substantial erosion or siltation on or off site;	1, 41	☐	☒	☐	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	1, 36, 41, ***65***	☐	☒	☐	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	1, 35, ***65***	☐	☒	☐	☐
iv. Impede or redirect flood flows?	36	☐	☒	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	1, 25, 36, 40	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	37, 38, 39, 41	☐	☐	☒	☐

Evaluation

As discussed in the City's 2014 LUCE Update EIR, the project site is located within the San Luis Obispo Creek Hydrologic Subarea of the Estero Bay Hydrologic Unit, an area that corresponds to the coastal draining watersheds west of the Coastal Range. The Estero Bay Hydrologic Unit stretches roughly 80 miles between the Santa Maria River and the Monterey County line and includes numerous individual stream systems. Within the Estero Bay Hydrologic Unit, the San Luis Obispo Creek watershed drains approximately 84 square miles.

The city of San Luis Obispo is generally located within a low-lying valley centered on San Luis Obispo Creek. San Luis Obispo Creek is one of four major drainage features that create flood hazards in the city, with the others being Stenner, Prefumo, and Old Garden Creeks. In addition, many minor waterways drain into these creeks, which can also present flood hazards. Because of the high surrounding hills and mountains in the area, the drainage sheds of these creeks are relatively small, but the steep slopes and high gradient can lead to intense, fast-moving flood events in the city. There is an unnamed creek (identified as Twin Ridge Creek) with associated freshwater forested/shrub wetland and riparian areas located in the western portion of the project area.

The City is enrolled in the State General Permit National Pollutant Discharge Elimination System (NPDES) permit program governing stormwater. As part of this enrollment, the City is required to implement the Central Coast RWQCB's adopted Post-Construction Stormwater Management requirements through the development review process. The primary objective of these PCRs is to ensure that the permittee is reducing pollutant discharges to the maximum extent practicable and preventing

stormwater discharges from causing or contributing to a violation of receiving water quality standards in all applicable development projects that require approvals and/or permits.

The 100-year flood zone identifies areas that would be subject to inundation in a 100-year storm event, or a storm with a 1% chance of occurring in any given year. Based on the City's interactive Parcel Viewer and Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) map (06079C1066G, effective 11/16/2012), the project site is located within an area of minimal flooding and the onsite creek is not a 100-year flood zone hazard.

a) There is an unnamed creek (identified as Twin Ridge Creek) with associated freshwater forested/shrub wetland and riparian areas located in the western portion of the project area.

Project improvements propose a 20-foot setback from the riparian edge of the existing vegetation that would reduce impacts during future development and operation. Proposed project construction requires 4.27 acres of ground disturbance including 7,900 cy of cut and 4,760 cy of fill, which has the potential to release erosive runoff into the creek and associated wetland areas that may cause adverse effects to water quality. Parcel improvements require the use of construction vehicles and equipment that could lead to inadvertent polluted runoff through vehicle leakage or spill. The project proposes to disturb more than 1 acre of soil and would require the development and implementation of a SWPPP with BMPs to avoid or reduce erosive or polluted runoff from entering the onsite creek and associated wetland area. Section 4, Biological Resources, identifies Mitigation Measure **BIO-9**, which outlines BMPs that would reduce construction impacts related to polluted or erosive runoff. Project development would be required to comply with the Central Coast RWQCB requirements set forth in the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region.

Future development as a result of the subdivision would include single-family residential uses, with ADUs and JADUs as potential accessory uses, potential removal of existing trees, and connections to the proposed utility lines. Grading activity for future development is proposed for current parcel improvements; therefore, it is unlikely that future development would require more than 1 acre of groundwork and would not likely need to develop and implement a SWPPP. However, future development would be required to comply with the Central Coast RWQCB PCRs, and physical improvement of the project site would be required to comply with the drainage requirements of the City's Waterways Management Plan. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City's watershed. Therefore, with implementation of Mitigation Measure **BIO-9** during parcel improvements and compliance with existing regulations, impacts related to violation of water quality standards would be *less than significant with mitigation.*

b) San Luis Obispo is located within the San Luis Obispo Valley Groundwater Basin. The Sustainable Groundwater Management Act (SGMA) requires that high- and medium-priority basins comply with the provisions of the SGMA. The California Department of Water Resources (DWR) designated the San Luis Obispo Valley Groundwater Basin as a high-priority basin, and the City has developed a Groundwater Sustainability Plan to comply with SGMA regulations. The COSE states the urban water planning and usage will use the "most efficient available practices" for water conservation. The "most efficient available practices" refer to behavior and devices that use the least water for a desired outcome, considering available equipment, lifecycle costs, social and environmental side effects, and the regulations of other agencies.

Construction of the proposed project and future residential development would result in new development on previously undeveloped land and would result in an increase of impervious surfaces. Physical improvement of the project site would be required to comply with the drainage requirements of the City's Waterways Management Plan. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City's watershed. The Waterways Management Plan and Low Impact Development (LID) stormwater treatment requires that site development be designed so that post-development site drainage does not significantly exceed pre-development run-off. In order to comply with these standards, the project proposes four drainage measures throughout the project site, which include an 85th percentile retention area, a 95th percentile retention area, and Filterra and Biofiltration treatment. The proposed drainage measures would be implemented to catch additional surface runoff generated from the project during operation. The project is also required to comply with Post-Construction Stormwater Management Requirements, including requirements for site design, water quality treatment, runoff retention, and peak discharge management. These requirements include, and are not limited to, minimizing impervious surfaces, collecting stormwater runoff to reduce pollutant discharge, and maintaining the pre-developed hydrology by

reducing overland flow and promoting groundwater recharge. Therefore, based on compliance with existing regulations, implementation of the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Based on the 2020 Water Resources Status Report, the City utilizes multiple water sources to meet its water supply needs. The four primary water sources for the City includes Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, and recycled water; groundwater acts as the City's fifth supplemental source. The total water available for the City in 2019 was 10,107 acre-feet per year (AFY). As this availability was adjusted following years of drought and updates to the City's safe annual yield model, the availability is considered a reasonable long-term safe yield value for the purposes of this analysis. The 2020 Water Year (October 1, 2019 to September 30, 2020) had a total water demand of 4,762 AF with 0% of water being supplied by groundwater resources. Compared against the City's 2019 annual availability, the City has approximately 5,374 AF of water surplus available to allocate to new beneficial uses within the city.

The project would be required to pay development impact fees to offset the project's marginal impact on the City's water resources. Future residential development will be conditioned to comply with City standards, and potential impacts would be *less than significant*.

c.i) Project construction requires 4.27 acres of grading activity, which includes 7,900 cy of cut and 4,760 cy of fill. The project does not propose alteration of the onsite creek; however, the BRA identified that several areas of grading are proposed within the creek setback and a rip rap pad at the stormwater retention area is planned adjacent to or within the creek setback area. Additionally, 13 non-native trees would be removed from the riparian corridor. The project proposes a 20-foot setback from the creek during proposed improvements. However, due to the amount of ground disturbance proposed for parcel improvements, there is potential for construction activity and permanent impervious surfaces associated with future development to temporarily alter onsite drainage patterns and disturb the creek channel, which could increase runoff on- or offsite. The project would be required to prepare and implement a SWPPP with BMPs designed to reduce erosive runoff to surface and other water resources in the area. Mitigation Measure **BIO-9** identifies BMPs that would reduce erosive runoff during project construction. ***These BMPs include, and are not limited to, avoiding construction during the rainy season if feasible, preparation of a Sediment and Erosion Control Plan that would be reviewed and approved by the City Engineer, identification of construction staging areas (in locations that would not drain into the creek), and application of measures that are typically applied and approved by the City and resource agencies including the RWQCB and CDFW to protect water quality including silt fencing, erosion control blankets, straw bales, sandbags, fiber rolls, and/or other types of materials. Mitigation Measure BIO-10 requires that the applicant comply with existing RWQCB and CDFW regulations, permits, and authorization requirements, and has been clarified to require a biological monitor during construction activities and work within and adjacent to the riparian corridor regardless of whether regulatory permits are required, and the on-site monitor would ensure compliance with all local and state water quality regulations. Verification of the BMPs and Erosion and Sedimentation Control Plan and compliance with water quality regulations would occur during review of these standard plans by City and regulatory agency professionals and experts, and during installation of creek protection measures and any work within and adjacent to the creek by a biological monitor.*** The project would also be required to comply with Central Coast RWQCB requirements set forth in the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region.

The 20-foot setback established during parcel improvements would ensure that future development would not require work within the onsite stream or associated wetland area. Grading activity for future development is proposed for current parcel improvements; therefore, it is unlikely that future projects would require more than 1 acre of groundwork; therefore, future development is not likely to substantially alter any existing drainage patterns that would lead to on- or offsite erosion. Because future development is not anticipated to disturb more than 1 acre of soils, the preparation and implementation of a SWPPP is not necessary. However, future development would be required to comply with the Central Coast RWQCB PCRs, and physical improvement of the project site would be required to comply with the drainage requirements of the City's Waterways Management Plan. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City's watershed. With implementation of BIO-9 and compliance with existing regulations, impacts related to erosion and siltation on- or offsite would be *less than significant with mitigation*.

c.ii–iv) As described in the evaluation above, the project site is not located within a flood zone. However, the proposed parcel improvements and future development would result in new impervious surface areas that could increase surface water runoff. Proposed parcel improvements would create a new interior road that loops from Stanford Drive to Cuesta Drive ranging from 54 to 60 feet in width, a 17-foot-wide AC bicycle/pedestrian pathway that would also be used as a utility and drainage easement across Lot 15, and other proposed access and easements. Future development plans are currently unknown; however, it is anticipated that single-family residential uses, with ADUs and JADUs as potential accessory uses, could be developed as a result of the subdivision, which would create more impervious surface areas.

Construction of the proposed project and future residential development would result in new development on previously undeveloped land and would result in an increase of impervious surfaces that would cause the timing and amount of surface water runoff to increase. Physical improvement of the project site would be required to comply with the drainage requirements of the City's Waterways Management Plan***, which includes the Drainage Design Manual***. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City's watershed. The Waterways Management Plan and Low Impact Development (LID) stormwater treatment requires that site development be designed so that post-development site drainage does not significantly exceed pre-development run-off. ***The Drainage Design Manual states that "runoff shall be managed to prevent any significant increase in downstream peak flows, including 2-year, 10-year, 50-year, and 100-year events. Significant generally means an increase of over 5 percent at and immediately downstream of the project site, but must be determined on a site-specific basis" (DDM 3.3).*** In order to comply with these standards, the project proposes four drainage measures throughout the project site, which include an 85th percentile retention area, a 95th percentile retention area, and Filterra and Biofiltration treatment. The proposed drainage measures would be implemented to catch additional surface runoff generated from the project during operation. ***The proposed approach to peak flow management for this project at Twin Ridge Creek involves collecting a portion of the runoff from the proposed development, detaining that flow in a detention facility, and then introducing it to Twin Ridge Creek resulting in an overall reduction in peak flow for the system. At Cuesta, the runoff is collected and detained in an underground detention facility and then released onto the proposed site at Cuesta Drive. The proposed drainage at Stanford was designed so that the runoff would match existing drainage conditions (Cannon 2020).*** In addition, the project would be required to comply with the City's engineering standards, water pollution control plan requirements, Post-Construction Stormwater Requirements, and adopted building and grading codes for water quantity/quality analysis. Compliance with these requirements would ensure operational impacts are less than significant and implementation of BIO-9 would reduce construction-related impacts to potential erosive runoff from alteration of drainage patterns; therefore, impacts would be *less than significant with mitigation*.

d) The proposed project site is not located within a flood hazard, tsunami, or seiche zone; therefore, the release of pollutants due to project inundation is not anticipated, and *no impacts* would occur.

e) The City's COSE identifies goals and policies for the City's water needs, including planning and water quality management. The proposed project and any future development would be conditioned to comply with the COSE water quality and groundwater management standards (Section 10). As discussed above, parcel improvements and future development would be compliant with the Central Coast RWQCB PCRs, the City's Waterways Management Plan and LID design requirements, and other applicable water quality policies and regulations. The project would be required to pay development impact fees to offset the project's marginal impact on the City's water resources. Future residential development will be conditioned to comply with City standards, and potential impacts would be *less than significant*.

Mitigation Measures

Implement Mitigation Measure **BIO-9**.

Conclusion

The proposed project would be subject to City requirements regarding water quality and stormwater runoff. Future residential structures would be required to comply with the water quality and conservation standards stated in the COSE. The project is not located within a 100-year flood hazard, tsunami, or seiche zone. Therefore, project impacts on hydrology and water quality would be less than significant.

11. LAND USE AND PLANNING

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	42	☐	☐	☒	☐
a) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	5, 42	☐	☒	☐	☐

Evaluation

The project is zoned as R-1 (Low Density Residential) and located in the northern portion of the city. The surrounding land uses include one- and two-story single-family residential units to the south, east and west, undeveloped residential land to the north, and CAL FIRE Station #12 to the east.

a) The proposed project is an infill project and would not have the potential to divide an established community on adjacent parcels or in the vicinity of the project site. The project is designed to be consistent with existing and developing/planned surrounding commercial infill development and would not physically divide an established community. Impacts would be *less than significant.*

b) The project site is located within the city of San Luis Obispo and is subject to the *City of San Luis Obispo General Plan*. The project is zoned R-1 (Low Density Residential), and future residential development would be consistent with the zoning and required to follow design regulations for the zoning requirement (City Ordinances 17.16 and 17.70). Future development would be consistent with the COSE and other applicable regulations. Mitigation measures identified throughout this Initial Study would reduce environmental impacts that could conflict with existing regulations and ensure that future development would be consistent with applicable land use standards and regulations. Therefore, project impacts would be *less that significant with mitigation*.

Mitigation Measures

Implement mitigation measures identified in other sections of this Initial Study.

Conclusion

The proposed project would not divide an established community and identified mitigation measures would ensure future development is consistent with applicable land use plans. Therefore, no mitigation is necessary, and impacts to land use and planning would be less than significant.

12. MINERAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	5	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	5	☐	☐	☐	☒

Evaluation

Mineral extraction is prohibited within city limits according to the COSE.

a, b) No known mineral resources are present within the project site and future extraction of mineral resources is very unlikely due to the urbanized nature of the area and current restrictions on resource extraction within city limits; therefore, *no impacts* would occur.

Mitigation Measures

No mitigation is required.

Conclusion

According to the COSE, mineral extraction is prohibited within city limits. The project site is located within the city, and there would be no impact on mineral resources.

13. NOISE

Would the project result in:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	8, 43, 44, 45	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	45	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	3	☐	☐	☒	☐

Evaluation

As analyzed in the City's 2014 LUCE Update EIR, a number of noise-sensitive land uses are present within the city, including various types of residential development, schools, hospitals and care facilities, parks and recreation areas, hotels and transient lodging, and places of worship and libraries. Based on ambient noise level measurements throughout the city, major sources of noise include traffic noise on major roadways, passing trains, and aircraft overflights.

Per City Municipal Code Chapter 9.12, Noise Control, operating tools or equipment used in construction on weekdays between 7:00 p.m. and 7:00 a.m. or any time on Sundays or holidays is prohibited, except for emergency works of public service utilities or by exception issued by the City Community Development Department. The City Municipal Code also states that construction activities shall be conducted in such a manner, where technically and economically feasible, that the maximum noise levels at affected properties will not exceed 75 A-weighted decibels (dBA) at single-family residences, 80 dBA at multi-family residences, and 85 dBA at mixed residential/commercial uses. Based on the City Municipal Code (9.12.050.B.7), operating any device that creates vibration that is above the vibration perception threshold of an individual at or beyond 150 feet from the source if on a public space or right-of-way is prohibited.

Typical noise levels produced by equipment commonly used for demolition and construction projects are shown in Table 3.

Table 3. Construction Equipment Noise Emission Levels

Equipment Type	Typical Noise Level (dBA) 50 feet From Source
Backhoe	80
Compactor	80
Concrete Mixer	85
Concrete Pump	82
Dozer	85
Excavator	85
Heavy Truck	84
Paver	85
Scraper	85

The nearest noise sensitive receptors to the project site include existing single-family residential units located adjacent to the site on the south, west, and east.

a) Project construction has the potential to increase short-term noise in the surrounding area. Project construction includes demolition of two existing residential structures onsite, excavation and grading activity, development of a new connection road, and installation of utility infrastructure and easements. Parcel improvements would be required to adhere to City Municipal Code Section 22.10.120.A.4, which limits the hours and days of construction equipment use and seeks to limit construction noise to 85 dBA. Project construction would be conducted in close proximity to surrounding residential units. The nearest residential unit is located approximately 10 feet from the eastern property line. In addition, there are residential units to the west and south located within 10 to 15 feet from the property. Due to the close proximity of nearby residential uses, the proposed demolition and construction project activities have the potential to periodically exceed the City's Municipal Code standard for conducting construction activities in such a manner that prevents noise levels above 75 dBa from reaching residential uses, when technically and economically feasible. Mitigation Measures **N-1** and **N-2** have been identified to reduce the potential for exceedances to occur and minimize potential temporary construction noise impacts to surrounding residential uses.

Upon completion of construction activities, the project would not include any significant stationary noise sources and would not result in a substantial increase in vehicle noise that would result in an increase to the ambient noise environment. However, construction activity for future developments would create short-term noise and would be required to adhere to City Municipal Code Section 22.10.120.A.4 and other applicable regulations. In addition, future development would be required to implement Mitigation Measures **N-1** and **N-2** to mitigate noise from development activities near existing residential units. Operation of the project would be generally consistent with surrounding existing uses in the project vicinity and would not result in substantial changes to the existing noise environment. Therefore, upon implementation of Mitigation Measures **N-1** and **N-2**, potential impacts associated with generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established would be *less than significant with mitigation.*

b) The project does not propose pile driving or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Use of heavy equipment for excavation and other ground disturbance activity would generate groundborne noise and vibration, but these activities would be limited in duration and consistent with other standard construction activities and would likely not be substantial enough to be detected by occupants of surrounding land uses. Therefore, potential impacts would be *less than significant.*

c) The project site is not located within the vicinity of a private airstrip or an airport land use plan; therefore, *no impact* would occur.

Mitigation Measures

N-1 For the entire duration of the construction phase of the project, the following BMPs shall be adhered to:

1. Stationary construction equipment that generates noise that exceeds 60 dBA at the project boundaries shall be shielded with the most modern noise control devises (i.e., mufflers, lagging, and/or motor enclosures).
2. Impact tools (e.g., jack hammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools.
3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.
4. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).

N-2 Construction plans shall note construction hours, truck routes, and all construction noise BMPs, and shall be reviewed and approved by the City Community Development Department prior to issuance of grading/building permits. The City shall provide and post signs stating these restrictions at construction entry sites prior to commencement of construction and maintained throughout the construction phase of the project. All construction workers shall be briefed at a preconstruction meeting on construction hour limitations and how, why, and where BMP measures are to be implemented.

Conclusion

The project has the potential to periodically exceed City Municipal Code construction and operational noise standards for single-family residential uses. With implementation of Mitigation Measures **N-1** and **N-2**, potential impacts associated with temporary exceedances of local established standards would be less than significant. No other potentially significant impacts associated with noise were identified, and no additional mitigation measures are necessary.

14. POPULATION AND HOUSING

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	46	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	1	☐	☐	☒	☐

Evaluation

The city of San Luis Obispo is the largest city in terms of population in San Luis Obispo County and has grown from 45,119 in 2010 to approximately 48,826 in 2020, according to the *City of San Luis Obispo General Plan Annual Report 2020* The City's housing tenure is approximately 39% owner-occupied and 61% renter-occupied, which is strongly influenced by California Polytechnic State University, San Luis Obispo (Cal Poly) and Cuesta College enrollment. Many segments of the city's population have difficulty finding affordable housing within the city due to their economic, physical, or sociological circumstances. San Luis Obispo contains the largest concentration of jobs in the county and, during workdays, the city's population increases to an estimated 70,000 persons.

The *City of San Luis Obispo General Plan Housing Element* identifies various goals, policies, and programs based on an assessment of the housing needs, opportunities, and constraints. The City's overarching goals for housing include ensuring safety and affordability, conserving existing housing, accommodating for mixed-income neighborhoods, providing housing variety and tenure, planning for new housing, maintaining neighborhood quality, providing special needs housing, encouraging sustainable housing and neighborhood design, maximizing affordable housing opportunities for those who live or work in the city, and developing housing on suitable sites. The project site is zoned as R-1 (Low Density Residential).

a) The project proposes a subdivision of one existing parcel into 23 different parcels, which would have the potential to support single-family residential uses, with ADUs and JADUs as potential accessory uses. Current proposed parcel improvements would not create structures that would cause population growth. The proposed construction is consistent with the General Plan, would improve the City's jobs-housing balance, and would not create substantial unplanned population growth. Therefore, impacts to significant population growth would be considered *less than significant*.

b) The project proposes demolition of the two existing residential units onsite. However, implementation of the project would create 23 new parcels that will be developed with single-family residential uses, with ADUs and JADUs as potential accessory uses. Therefore impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Conclusion

The proposed parcel improvements and future development would not substantially increase population growth in the area, nor would it displace substantial numbers of people or existing housing. Future residential development would be consistent with the R-1 zone and the City's General Plan, and potential impacts to population and housing would be less than significant.

15. PUBLIC SERVICES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire protection?	1, 2, 47, 48	☐	☐	☒	☐
Police protection?	1, 2, 47, 48	☐	☐	☒	☐
Schools?	1, 2, 47, 48	☐	☐	☒	☐
Parks?	1, 2, 47, 48, 49	☐	☐	☒	☐
Other public facilities?	1, 2, 47, 48	☐	☐	☒	☐

Evaluation

The project is located in the western portion of the city, 1.5 miles from the city's downtown. The City of San Luis Obispo Fire Department (SLOFD) provides emergency response services for the city, including fire and medical, and is comprised of 57 full-time employees. The SLOFD operates out of four fire stations in the city, with the nearest station to the project located at City Fire Station #2, 126 North Chorro Street, near the intersection with Foothill Boulevard. The City of San Luis Obispo Police Department (SLOPD) provides public safety services for the city and is comprised of 85.5 employees, 59 of which are sworn police officers. The SLOPD operates out of one main police station, which is located at 1042 Walnut Street at the intersection of Santa Rosa Street (Highway 1) and US 101. The project site is located within the San Luis Coastal Unified School District (SLCUSD) and public parks and recreation trails within the city are managed and maintained by the City Department of Parks and Recreation.

All new residential and nonresidential development within the city is subject to payment of development impact fees, which are administered by and paid through the City Community Development Department. Development impact fees provide funding for maintaining city emergency services, infrastructure, and facilities. For example, fire protection impact fees provide funding for projects such as the renovation of the City's fire stations and the replacement of fire service vehicles and equipment.

a) **Fire protection:** The project is located within a low fire severity zone and is under local fire jurisdiction. Fire response times to the project site are less than 5 minutes and the nearest fire station is City Fire Station #2, located 0.56 mile away. The project would result in single-family residential uses, with ADUs and JADUs as potential accessory uses and would not lead to a substantial increase in population in the city. Implementation of the project would not result in the need for construction of new or expanded fire protection facilities. In addition, the project would be subject to development fees for fire protection, which would offset the emergency access, upgraded roads, and necessary utility connections; therefore, potential impacts would be *less than significant.*

Police protection: The SLOPD is located 1.4 miles southeast of the project site on Walnut Street. The project proposes uses generally consistent with the surrounding area, and the proposed level of development would be similar to surrounding residential development. The project proposes residential infill development and would not result in a substantial increase in demand on police protection services. The project would result in a slight increase in residents within the city and would be consistent with the projected population growth for the city. The project would not result in a substantial increase in the number of units or population in the city and would not result in the need for construction of new or expanded police protection facilities. The project would be required to pay development impact fees established to address direct demand for new facilities associated with new development. Therefore, the project impacts on police protection would be *less than significant*.

Schools: The project site is located within the SLCUSD and would be subject to payment of SLCUSD development fees to offset the potential increase in student attendance in the district's schools as a result of the project. These fees would be directed towards maintaining sufficient service levels, which include incremental increases in school capacities. The nearest schools are Bishop Peak Elementary School and Pacheco Elementary School, located less than 1 mile southeast and south of the project site, respectively. San Luis Obispo High School is located 2 miles away. Local schools have the capacity to support additional students that may cumulate from future residential development plans. Therefore, the project impacts on schools would be *less than significant.*

Parks: The Patricia Drive entrance to the Bishop Peak Trailhead is located 0.5 mile northwest and Throop Park is 0.4 mile south of the project site. Future development plans for the project site have the potential to facilitate population growth and slightly increase demand on local parks. The General Plan outlines the importance of public recreation. The project does not currently propose the development of public parks; however, future population growth induced by future residential development would be supported by current facilities. The project would be subject to required developer impact fees (Quimby fees) established to address direct demand for new facilities associated with new development. Therefore, project impacts on parks would be *less than significant.*

Other public facilities: The project would not induce substantial population growth and would result in a negligible effect on use of other public facilities, such as roadways and public libraries. The project would be subject to the City's standard development fees, which would offset the project's marginal contribution to increased use of City facilities. Therefore, potential project impacts on public facilities would be *less than significant.*

Mitigation Measures

No mitigation is required.

Conclusion

The project site has the potential to induce future population growth of a maximum of 23 residential lots, which would be developed with residential units, consistent with the General Plan. There would not be substantial population growth and City development fees would offset the increased demand on any necessary public services. Therefore, project impacts on public services would be less than significant.

16. RECREATION

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	48, 49	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	48, 49	☐	☐	☐	☒

Evaluation

Existing City recreational facilities consist of 28 parks and recreational facilities, 10 designated natural resources and open space areas, and two bike trails. The *City of San Luis Obispo General Plan Parks and Recreation Element* identifies goals, policies, and programs to help plan, develop, and maintain community parks and recreation facilities. The City's statement of overall department goals is for the City Parks and Recreation facilities and programs to enable all citizens to participate in fun, healthful, or enriching activities that enhance the quality of life in the community.

As demand for recreation facilities and activities grow and change, the City intends to focus its efforts in the following areas: continuing development of athletic fields and support facilities, providing parks in underserved neighborhoods, providing a multi-use community center and therapy pool, expanding paths and trails for recreational use, linking recreation facilities, and meeting the special needs of disabled persons, at-risk youth, and senior citizens. Parks and Recreation Element Policy 3.13.1 establishes the City's goal to develop and maintain a park system at the rate of 10 acres of parkland per 1,000 residents, 5 acres of which shall be dedicated as neighborhood parks.

a) The Patricia Drive entrance to the Bishop Peak Trailhead is located approximately 0.5 mile northwest and Throop Park is 0.4 mile south of the project site. Future plans for the project site have the potential to facilitate population growth and increase demand on local parks. As discussed above, the project would be subject to required development impact fees established to address direct demand for new facilities associated with new development. Therefore, project impacts on parks would be *less than significant.*

b) The project does not propose the development of recreational facilities, and possible future development includes residential development on the 23 residential lots, which would not require the construction or expansion of existing recreational facilities. Therefore, *no impacts* would occur.

Mitigation Measures

No mitigation is required.

Conclusion

The project site has the potential to induce future population growth of a maximum 23 residential lots, which would be developed with residential units, consistent with the General Plan. There would not be substantial population growth and City development fees would offset the increased demand on any necessary recreational facilities. Therefore, project impacts on recreation would be less than significant.

17. TRANSPORTATION

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	1, 15, 21, 50	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	1, 50, 55	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	1, 50	☐	☐	☒	☐
d) Result in inadequate emergency access?	1, 50, 54	☐	☐	☒	☐

Evaluation

The *City of San Luis Obispo General Plan Circulation Element* identifies current traffic levels and delays on public roadways, as well as transportation goals and policies to guide development and express the community's preferences for current and future conditions. Goals included in the plan include, but are not limited to, maintaining accessibility and protecting the environment throughout San Luis Obispo while reducing dependence on single-occupant use of motor vehicles; reducing use of cars by supporting and promoting alternatives such as walking, riding buses and bicycles, and carpooling; promoting the safe operation of all modes of transportation; and widening and extending streets only when there is a demonstrated need and when the projects would cause no significant, long-term environmental problems.

Level of Service (LOS) is a term used to describe the operating conditions of an intersection or roadway based on factors such as speed, travel time, queuing time, and safety. LOS designations range between A and F, with A representing the best operating conditions and F the worst. The Circulation Element establishes the minimum acceptable LOS standard for vehicles in the city as LOS D (except in downtown areas).

The *City of San Luis Obispo Active Transportation Plan* outlines the City's official policies for the design and development of infrastructure to support sustainable transportation within the city and in adjoining territory under County of San Luis Obispo jurisdiction but within the City's Urban Reserve and includes specific objectives for reducing vehicle use and promoting other modes.

In 2013 SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions." SB 743 required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts under CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in State CEQA Guidelines Section 15064.3(b)). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

SLO Transit operates transit service within the city of San Luis Obispo and San Luis Obispo Regional Transit Authority (SLORTA) operates transit service throughout San Luis Obispo County and adjacent areas. The project site is located off

Westmont Avenue from the east and Stanford Drive to the southwest. The project site is approximately 0.08 mile west of Santa Rosa Street between Foothill Boulevard and the northern City limits. The nearest bus stop is located 0.2 mile away at Highland Drive and Cuesta Drive. Additional bus stops are located 0.5 mile south along Foothill Boulevard.

In June 2020, the City formally adopted the transition from LOS to VMT for the purposes of CEQA evaluation and also established local VMT thresholds of significance. Potential CEQA impacts are based on the VMT analysis.

a) The project site is accessed by Westmont Avenue and Stanford Drive, which are residential streets, and vehicular trips on these streets are generated by residents.

The proposed project would be consistent with the City's Circulation Element, which establishes goals and policies for the City's circulation system, described in the evaluation above. Future development would have access to several transit stops less than 0.5 mile away. The project proposes a new 17-foot-wide AC bicycle/pedestrian easement to promote alternative modes of transportation to and from the site. The proposed project is located approximately 0.56 mile north of dining, grocery, and other commercial buildings that could be reached using alternate modes of transportation. New development would be consistent with goals and policies described in the City's Circulation Element and impacts would be *less than significant*.

b) The 2018 OPR SB 743 Technical Advisory on Evaluating Transportation Impacts in CEQA states that absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, a single-family residential unit generates 9.44 average daily trips (ADT). The project would create 23 new parcels that could result in the development of single-family residential uses, with an ADUs and JADUs as potential accessory uses. Operation of the project may create more than 110 trips per day; however, based on the City's Residential VMT Screening Map, the project is located in an area of the city that would result in average VMT less than or equal to 85% of the regional average, meaning a project in this area would result in VMT generation below the City's adopted thresholds. Therefore, future potential development of the project is not anticipated to generate VMT at a rate that is inconsistent with adopted plans and impacts would be *less than significant.*

c) The project proposes the improvements that include a new 54- to 60-foot-wide interior road, emergency access, and various easements, including a bicycle/pedestrian easement. These potential roadway improvements would be designed and constructed in compliance with City Public Works Department standards to provide adequate vehicle and emergency vehicle access to all proposed parcels. The project would not substantially increase hazards due to a geometric design feature or incompatible uses or result in inadequate emergency access. Therefore, project impacts would be *less than significant.*

d) As mentioned above, the project proposes the implementation of emergency vehicle access that would be with City Public Works Department standards. The emergency access easement is a proposed improvement as part of the parcel subdivision and would be completed prior to any potential residential development. Therefore, there would be adequate access for emergency services and project impacts would be *less than significant.*

Mitigation Measures

No mitigation is required.

Conclusion

Potential future infill development of residential uses at the project site would not result in a reduction in LOS on surrounding intersections and would be consistent with State CEQA Guidelines Section 15064.3(b) regarding VMT. Any future development at the project site would be required to meet City Public Works Department safety design standards and would maintain adequate emergency access. Therefore, no potentially significant impacts related to transportation would occur, and no mitigation measures are necessary.

18. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	17, 18, 19, 59	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	17, 18, 19, 59	☐	☒	☐	☐

Evaluation

Approved in 2014, AB 52 added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the CRHR; or
    b. Included in a local register of historical resources as defined in subdivision (k) of California PRC Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California PRC Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Recognizing that tribes have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe regarding the potential for adverse impacts on tribal cultural resources as a result of a project. Consultation may include discussing the type of environmental review necessary, the presence and/or significance of tribal cultural resources, the level of significance of a project's impacts on the tribal cultural resources, and available project alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources. The City has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and received correspondence from Patti Dunton, Tribal Administrator of the Salinan Tribe of San Luis Obispo, Monterey, and San Benito Counties. The correspondence included a request to have all ground disturbing activities for the project monitored by a cultural resource specialist from their tribe. No other responses from California Native American tribes have been received as of the date of this document.

a.i, ii.) As discussed in the evaluation above, the City received one response from the Salinan Tribe of San Luis Obispo, Monterey, and San Benito Counties in accordance with AB 52. The tribe requested that a cultural resource specialist from their tribe monitor all ground disturbing activities approved with the project. The request for onsite monitoring has been included as a mitigation measure with the project as **TC-1**. No additional consultation was requested from the Salinan Tribe of San Luis Obispo, Monterey, and San Benito Counties beyond this request. There have been no other responses from Native American tribes in accordance with AB 52 as of the date of this draft. Therefore, impacts associated with tribal resources would be *less than significant with mitigation*.

Mitigation Measures **CR-1** and **CR-2** have been identified to address the potential for inadvertent discovery of cultural resources and require cultural resource awareness training and cessation of work area if a discovery is made until a qualified archaeologist can assess the significance of the find. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resource would be *less than significant with mitigation*.

Mitigation Measures

TC-1 **Culturally Affiliated Native American Monitor.** A representative from the Salinan Tribe shall be notified prior to any ground disturbing activities to provide for on-site monitoring. If cultural resources are encountered during subsurface earthwork activities, all ground disturbing activities within a 25-foot radius of the find shall cease and the City shall be notified immediately consistent with the requirements of **Mitigation Measures CR-1 and CR-2**.

Implement Mitigation Measures **CR-1** and **CR-2**.

Conclusion

With implementation of Mitigation Measures **CR-1**,**CR-2**, and **TC-1**, impacts to tribal cultural resources would be less than significant.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	1	☐	☒	☐	☐
a) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	39, 51	☐	☐	☒	☐
b) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	47, 60	☐	☐	☒	☐
c) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	52, 53	☐	☐	☒	☐
d) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	52, 53	☐	☐	☒	☐

Evaluation

The City Utilities Department is the sole water provider within the city, provides potable and recycled water to the community, and is responsible for water supply, treatment, distribution, and resource planning. The City's Water Resource Recovery Facility (WRRF) treats all wastewater from the city, Cal Poly, and the San Luis Obispo County Regional Airport, which includes 4.5 million gallons of wastewater per day. The WRRF manages and treats wastewater in accordance with standards established by the SWRCB to remove solids, reduce the amount of nutrients, and eliminate bacteria in treated wastewater. A portion of the treated water is recycled for irrigation use within the city and the remaining flow is discharged to San Luis Obispo Creek.

The City utilizes San Luis Garbage as a licensed waste hauler for residential and commercial solid waste removal. Solid waste collected from the city is taken to Cold Canyon Landfill, which is a modern municipal solid waste disposal facility that is permitted by California Department of Resources, Recycling, and Recovery (CalRecycle) and meets state and local rules and regulations. The landfill disposes of non-hazardous solid waste.

a) For water needs, parcel improvements propose connecting to the existing water line on Stanford Drive and looping it around to Cuesta Drive and a connection from Westmont Avenue will connect to Cuesta Drive through a proposed 17 foot-wide- easement of Lot 15. For sewer needs, parcel improvements propose connecting to the existing sewerline on Stanford Drive and also proposes an additional line connecting to Cuesta Drive. Lots 17 and 18 would use the existing sewer main on Westmont Avenue. The project proposes easements throughout the project site for additional utility connections and relocation of existing ones. Parcel improvements propose PG&E easements for electricity needs. Proposed drainage easements would occur across Lots 4, 15, and 19–23. Proposed drainage measures for the project include an 85th percentile retention area, a 95th percentile retention area, and Filterra and Biofiltration treatment system to capture surface runoff produced during project operation. Future development would require individual connections to the proposed utility lines.

   These new utility components and associated easements would have the potential to result in noise and dust emissions in proximity to sensitive receptor locations, such as single-family residences. There would also be the potential for discovery of subsurface cultural resources during proposed utility work. Excavation and other ground-disturbing activity has the potential to release erosive or pollutant runoff to the onsite creek and associated wetland area. Mitigation Measures **AQ-1** through **AQ-5**, **BIO-1** through **BIO-9**, **CR-1** and **CR-2**, **N-1** and **N-2**, and **TC_1** would reduce potentially significant environmental impacts resulting from installation and establishment of new utility connections associated with air quality, biological resources, cultural resources, and noise, respectively, to less than significant. Therefore, potential environmental impacts associated with construction or extension of existing utilities would be *less than significant with mitigation.*

b) The project would be serviced by the City's water system, which has four primary water sources, including the Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, and recycled water (for irrigation), with groundwater serving as a fifth supplemental source. As of 2015, the City no longer draws groundwater for potable purposes. The project is not within the City's Recycled Water Master Plan Area and therefore recycled water is not available for irrigation use. As of November 2019, both the Salinas and Whale Rock Reservoirs are above 85% storage capacity and Nacimiento Reservoir is at 45% storage capacity.

   San Luis Obispo is located within the San Luis Obispo Valley Groundwater Basin. The SGMA requires that high- and medium-priority basins comply with the new law; the DWR designated the San Luis Obispo Valley Groundwater Basin as a high-priority basin. The City has developed a Groundwater Sustainability Plan to comply with SGMA regulations. The COSE states the urban water planning and usage will use the "most efficient available practices" for water conservation. The "most efficient available practices" refer to behavior and devices that use the least water for a desired outcome, considering available equipment, lifecycle costs, social and environmental side effects, and the regulations of other agencies.

   Based on the 2020 Water Resources Status Report, the City utilizes multiple water sources to meet its water supply needs. The four primary water sources for the City includes Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, and recycled water; groundwater acts as the City's fifth supplemental source. The total water available for the City in 2020 was 10,107 AFY. As this availability was adjusted following years of drought and updates to the City's safe annual yield model, the availability is considered a reasonable long-term safe yield value for the purposes of this analysis. The 2020 Water Year (October 1, 2019 to September 30, 2020) had a total water demand of 4,730 AF with 0% of water being supplied by groundwater resources. Compared against the City's 2020 annual availability, the City has approximately 5,377 AF of water surplus available to allocate to new beneficial uses within the city.

   The project would be required to pay development impact fees to offset the project's marginal impact on the City's water resources. Future residential development will be conditioned to comply with City standards, and potential impacts would be *less than significant*.

c) The proposed project would create new parcels that range from 6,000 to 24,000 sf each. According to the City's Wastewater Generation Rates per Use Table, residential units have to potential to generate 45 to 150 gallons of

wastewater per day based on size of the dwelling unit. Specific development plans have not been identified; however, there is potential for up to 23 new single-family residential units, with ADUs and JADUs as potential accessory uses, to result from the proposed project. According to the City's wastewater generation rates, a typical single-family residence would generate approximately 150 gallons of wastewater per day and an ADU would generate approximately 105 gallons of wastewater per day. (JADUs are connected to single-family residences and are included with that rate.) The project has the potential to generate approximately 5,865 gallons of wastewater per day. The City treats about 4.5 million gallons of wastewater per day according to standards set forth by the SWRCB. The WRRF operates in an efficient manner to comply with federal, State, and local discharge requirements. This additional wastewater generation would not result in a significant load on the City's sewer infrastructure or the WRRF. Additionally, impact fees are collected at the time building permits are issued to accommodate the project's contribution to the City's WRRF capacity. Therefore, potential impacts would be *less than significant.*

d) Grading and other ground-disturbing activity has the potential to temporarily increase solid waste generation. Soil and other waste that results from ground-disturbing activity would be disposed of according to applicable standards and would not lead to the generation of excessive waste.

The proposed project has the potential to create up to 23 new single-family residential units, with ADUs and JADUs as potential accessory uses, that would produce solid waste. According to the CalRecycle Estimated Solid Waste Generation Rates Table, residential units generate approximately 12.23 pounds of solid waste per day. CalRecycle does not include specific rates for ADUs; however, it can be assumed that based on the size of ADUs as compared to single-family residential units, that ADUs produce solid waste at rates more similar to multi-family dwellings, which produce approximately 4 pounds per day. (JADUs are connected to single-family residences and are included with that rate.) Therefore, the project would produce approximately 373.29 pounds of solid waste per day. Future residential development would include provision of solid waste and recycling receptacles that would be serviced by San Luis Garbage and brought to Cold Canyon Landfill, which has approximately 13,100,000 cubic yards of remaining capacity as of February 2020 and is expected to reach capacity in 2040. Cold Canyon Landfill is compliant with State and local rules and regulations regarding solid waste and potential future residential development would be required to adhere to the standards set forth in the City's Development Standards for Solid Waste Services for trash, green waste, and recycling. Therefore, potential impacts would be *less than significant.*

e) Solid waste is disposed of at Cold Canyon Landfill, which follows State and local rules and regulations regarding solid waste. The potential future residential development would be required to adhere to the standards set forth in the City's Development Standards for Solid Waste Services for trash, green waste, and recycling. Therefore, the impacts would be *less than significant*.

Mitigation Measures

Implement Mitigation Measures **AQ-1** through **AQ-5**, **BIO-1** through **BIO-9**, **CR-1** and **CR-2**, **N-1** and **N-2**, and **TC-1**.

Conclusion

With implementation of Mitigation Measures **AQ-1** through **AQ-5**, **BIO-1** through **BIO-9**, **CR-1** and **CR-2**, **N-1** and **N-2**, and **TC-1,** potential impacts to utilities and service systems would be less than significant.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	25, 54	☐	☐	☒	☐

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	1, 25, 54, 56, 57	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	1, 25, 54, 56, 57	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	1, 25, 54, 56, 57	☐	☐	☒	☐

Evaluation

Urban fire hazards result from the materials, size, and spacing of buildings, and from the materials, equipment, and activities they contain. Additional factors are access, available water volume and pressure, and response time for firefighters. Based on the City Local Hazard Mitigation Plan, the risk of wildland fires is greatest near the City limits where development meets rural areas of combustible vegetation. Most of the community is within 1 mile of a designated high or very high fire hazard severity zone, which indicates significant risk to wildland fire.

The Safety Element identifies four policies to address the potential hazards associated with wildfire, including approving development only when adequate fire suppression services and facilities are available, classification of wildland fire hazard severity zones as prescribed by CAL FIRE, prohibition of new subdivisions located within "very high" wildland fire hazard severity zones, and continuation of enhancement of fire safety and construction codes for buildings.

According to the City's Safety Element Maps, the project is located within a low fire hazard severity zone. The project site is surrounded by developed residential areas to the ***east,*** ~~north,~~ west, and south that are also designated as a low fire hazard severity zone. The area of land located to the ~~east~~ ***north*** of the project is designated as a moderate fire hazard severity zone and Bishop Peak located 0.5-mile northwest is designated as a high fire hazard severity zone. In addition, the project site is not located within a State Responsibility Area (SRA).

a) The project proposes infill development within an existing residential neighborhood. Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation; therefore, the project would not substantially impair an adopted emergency response plan or evacuation plan and impacts would be *less than significant*.

b) The Safety Element describes the project area and immediate land as low and moderate wildland fire risk. The nearest high wildland fire risk is located 0.5 mile northwest at Bishop Peak. Fire response times are less than 5 minutes for this project location and City Fire Station #2 is located approximately 0.56 mile south of the project site. The General Plan states that development shall only be approved when adequate fire suppression services and facilities are available or will be made concurrent with development. Parcel upgrades include emergency access, upgraded roads, and necessary utility connections.

San Luis Obispo has an average wind speed of approximately 7 miles per hour. The project site is located on land that is characterized as gently sloping and would not increase fire risk due to hazardous slopes onsite. Parcel improvements propose to remove multiple ornamental trees and vegetation from the project site that would reduce wildfire hazard. Future residential structures built on the upgraded parcels would be conditioned to comply with building and fire code regulations as well as City requirements for fire safety.

In order to manage wildfire risk associated with placing residents in close proximity to moderate and high fire hazard severity areas, a Vegetation/Fuel Management Plan for the project site has been identified in Mitigation Measure **WF-1**. Additionally, a Wildland Fire Protection Report by James A. Neumann identifies mitigation measures to further reduce wildland fire hazards to future development and is described in Mitigation Measure **WF-2**. Therefore, with

implementation of Mitigation Measures **WF-1** and **WF-2**, impacts would be considered *less than significant with mitigation.*

c) The proposed improvements to the project site include a new emergency access road, road upgrades, and necessary utility connections. Additionally, future residential developments would also be required to comply with CBC regulations for fire safety and to reduce fire risk. Therefore, impacts would be *less than significant*.

d) The project area is not located within an area with substantial risk for flooding or landslides. Improvements made to the project site for the proposed subdivision and future development of residential structures will be required to comply with CBC regulations for fire safety and stability. The project does not include any design elements that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be *less than significant*.

Mitigation Measures

WF-1 **Vegetation/Fuel Management Plan.** Prior to issuance of any construction permit, the applicant shall provide a vegetation/fuel management plan prepared by a registered professional forester or certified arborist for each lot. The plan shall identify fuel load reduction techniques, including vegetation removal and trimming, to increase defensible space around residential structures and driveways/access roads. The plan shall also identify appropriate standards for installation of new landscaping, such as requirements for drought-tolerant and fire-resistant species.

WF-2 **Additional Fire Hazard Reductions.** Future development would incorporate the following fire reduction methods identified by the 2020 Wildland Fire Protection Report (Neumann) to reduce wildland fire risk:

1. Rain gutters, when not adequately maintained, will collect leaf material which becomes a receptive fuel bed for embers and sparks and can then transmit fire underneath the non-combustible roof materials. Rain gutters should be protected by noncombustible leaf shields or not allowed.
2. Record on all lots a deed restriction that allows for only non-combustible fences and decks in the subdivision.
3. Record on all lots a deed restriction that allows for fire resistant landscaping in the back yards of the subdivision.
4. Require enclosed eves on all structures within the subdivision.
5. Install fireproof vents on all structures (fire-rated, flame and ember resistant).
6. Working with the biologist, remove the non-native vegetation in the creek, riparian area, to reduce the fuel load.
7. Install a non-combustible wall (block or steel stud /stucco) wall 36 inches in height all around the northern perimeter of the subdivision. The wall shall begin at the westernmost property line and continue to the 20-foot setback at the west side of the creek, and shall continue beginning at the 20-foot setback at the east side of the creek, terminating at the property line of CAL FIRE Station #12. The purpose of this wall is to interrupt fire progression from the north onto the proposed lots without obstructing the very desirable view of the open space.

Conclusion

The project is located 0.5 mile away from a high wildland fire hazard zone and could expose people or structures to new or exacerbated wildfire risks. The development of new and/or expanded infrastructure and maintenance to reduce wildfire risks is proposed along with parcel improvements to the project site. Mitigation Measures **WF-1** and **WF-2** would reduce wildland fire risk. Therefore, potential impacts associated with wildfire would be less than significant with mitigation.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	N/A	☐	☒	☐	☐

The project would allow for the future development of up to 23 new residential units with ADUs and JADUs as accessory uses within the project site and would result in the removal of several trees. Mitigation measures **BIO-1 through BIO-7** identified in Section 4, Biological Resources, are included to minimize potential impacts to native plants and wildlife species during project construction. Specifically, Mitigation Measure **BIO-8** through **BIO-11** would reduce impacts to aquatic resources onsite. Mitigation Measures **CR-1** and **CR-2** have been included to require awareness training be conducted for all construction crew members so that cultural resources can be recognized if unearthed during site disturbance activities and to require work be halted in the event of an unanticipated discovery until a qualified archaeologist can assess the significance of the find and identify the appropriate protocol for properly responding to the inadvertent discovery. **TC-1** requires a native American monitor to be present during ground disturbance to identify unknown tribal cultural resources. With implementation of the recommended mitigation measures, potential impacts would be *less than significant with mitigation*.

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	N/A	☐	☒	☐	☐

When project impacts are considered along with, or in combination with, other reasonably foreseeable impacts, the project's potential cumulative impacts may be significant. Mitigation measures have been incorporated into the project to reduce project-related impacts to a less-than-significant level. Based on implementation of identified project-specific mitigation measures and the relatively limited number and extent of potential impacts, the cumulative effects of the proposed project would not be cumulatively considerable and would be *less than significant with mitigation*.

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	N/A	☐	☒	☐	☐

The project has the potential to result in significant impacts associated with air quality and noise that could result in substantial adverse effects on human beings. Mitigation Measures **AQ-1** through **AQ-5** and **N-1** and **N-2** have been identified to reduce these potential impacts to less than significant, including, but not limited to, standard idling restrictions, dust control measures, preparation of a geologic investigation for asbestos, and implementation of noise control measures. With implementation of the mitigation measures identified in this Initial Study, potential environmental effects of the project would not directly or indirectly result in any substantial adverse effects on human beings, and this impact would be *less than significant with mitigation*.

22. EARLIER ANALYSES

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:
a) **Earlier analysis used.** Identify earlier analyses and state where they are available for review.
N/A
b) **Impacts adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
N/A
c) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.
N/A

23. SOURCE REFERENCES

1.	Project Plans, Parcel Map, September 2020
2.	Project Plans, Project Description, April 2020
3.	City of San Luis Obispo Interactive Parcel Viewer, January 2015
4.	Kevin Merk Associates, LLC (KMA), 468 Westmont Avenue, San Luis Obispo, San Luis Obispo County, California (Assessor's Parcel Number 052-496-001) Biological Resources Assessment, August 2020
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6.	California Department of Transportation (Caltrans), California Scenic Highways, February 2017
7.	City of San Luis Obispo Community Design Guidelines, June 2010
8.	City of San Luis Obispo Municipal Code, May 2019
9.	California Department of Conservation (DOC) Farmland Mapping and Monitoring Program, 2018
10.	California Department of Conservation (DOC) Land Conservation Act of 1965: San Luis Obispo County, 2006
11.	San Luis Obispo County Air Pollution Control District (SLOAPCD), County Attainment Status, 2019
12.	San Luis Obispo County Air Pollution Control District (SLOAPCD) CEQA Air Quality Handbook, April 2012 (revised November 2017)
13.	San Luis Obispo County Air Pollution Control District (SLOAPCD) Clean Air Plan, December 2001

14.	San Luis Obispo County Air Pollution Control District (SLOAPCD) Naturally Occurring Asbestos Mapping Tool, 2020
15.	City of San Luis Obispo Active Transportation Plan, 2021
16.	San Luis Obispo Heritage Trees Map, 2019
17.	U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory Map, 2019
18.	California Department of Fish and Wildlife (CDFW), California Natural Community Conservation Plans Map 2019
19.	Historic Properties in San Luis Obispo, California (A SLO Story Map), accessed January 2021
20.	San Luis Obispo Historic Preservation Program Guidelines 2010
21.	San Luis Obispo Transit 2019-20120 User Guide, June 17, 2019
22.	City of San Luis Obispo Climate Action Plan, August 2020
23.	California Building Code, 2019
24.	California Department of Conservation (CDOC) Fault Activity Map of California, 2010
25.	City of San Luis Obispo Safety Element, 2014
26.	U.S., Geological Survey (USGS) Areas of Land Subsidence in California, Accessed January 2021
27.	U.S. Department of the Interior Natural Resources Conservation Service (NRCS) Web Soil Survey, 2019
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29.	Geologic Map of the San Luis Obispo Quadrangle, San Luis Obispo County, California, 2004
30.	California Department of Toxic Substances Control (DTSC), Envirostor Accessed January 2021
31.	State Water Resources Control Board (SWRCB), Geotracker Accessed January 2021
32.	California Environmental Protection Agency (CalEPA), Cortese List Data Resources Accessed January 2021
33.	San Luis Obispo 2016 Community Greenhouse Gas Emissions Inventory Update 2019
34.	SLO Watershed Project, San Luis Obispo Creek Description, 2014
35.	SLO Stormwater Website 2020
36.	Federal Emergency Management Agency (FEMA) National Flood Hazard Layer (NFHL) Viewer, accessed January 2021
37.	California Department of Water Resources (DWR) Sustainable Groundwater Management Act (SGMA) Groundwater Management, Webpage, 2019
38.	County of San Luis Obispo San Luis Obispo Valley Groundwater Basin, Webpage, 2019

39.	City of San Luis Obispo *2019 Water Resources Status Report*. August 2019.
40.	California Department of Conservation (DOC) Tsunami Inundation Map for Emergency Planning Port San Luis Quadrangle, 2009
41.	Water Quality Control Plan for the Central Coast Basin, 2019
42.	City of San Luis Obispo Land Use Element 2014
43.	City of San Luis Obispo Noise Element, 1996
44.	Construction Noise Handbook: Construction Equipment Noise Levels and Ranges, Federal Highway Administration, September 2017
45.	Transportation and Construction-Induced Vibration Guidance Manual. California Department of Transportation (Caltrans). September 2013. Available at: <http://website.dot.ca.gov/env/noise/docs/tcvgm-sep2013.pdf>.
46.	City of San Luis Obispo 2014–2019 General Plan Housing Element, January 2015
47.	City of San Luis Obispo General Plan Annual Report, 2020
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55.	San Luis Obispo Residential VMT Screening Map. 2020
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60.	City of San Luis Obispo Wastewater Generation Rates Per Use Table. Available at: https://www.slocity.org/government/department-directory/utilities-department/wastewater/wastewater-offset-program.

61.	City of San Luis Obispo *Multimodal Transportation Impact Study Guidelines*. June 2020.
62.	SWCA 2021 *Aquatic Resources Delineation Report*. January 2021.
63.	***USFWS Designation of Critical Habitat for the California red-legged frog Background, Questions and Answers. March 16, 2010.***
64.	***Kevin Merk Associates, LLC Memorandum Re: Westmont Avenue TTM 3157 – Response to Comments Regarding Biological Resources. July 1, 2021.***
65.	***Cannon, Drainage Report, Tract 3157, 468 Westmont Avenue, March 11, 2020***

Attachments

1. Project Location Map
2. Proposed Project Plans
3. Biological Report
4. ***Response to Comments Regarding Biological Resources. July 1, 2021.***
5. ***Drainage Report, Tract 3157, 468 Westmont Avenue, March 11, 2020***

REQUIRED MITIGATION AND MONITORING PROGRAMS

Air Quality

AQ-1 **Idling Control Techniques.** During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
    a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible;
    b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
    c. Use of alternative-fueled equipment shall be used whenever possible; and
    d. Signs that specify the no idling requirements shall be posted and enforced at the construction site.
2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with 13 CCR 2485. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California-based vehicles. In general, the regulation specifies that drivers of said vehicles:
    a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and
    b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 **Particulate Matter Control Measures.** During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:

1. Reduce the amount of disturbed area where possible.
2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (non-potable) water should be used whenever possible.
3. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.
5. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.
7. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114.
10. "Track out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code (CWC) Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked-out soils, the track-out prevention device may need to be modified.
11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
12. All PM_{10} mitigation measures required should be shown on grading and building plans.
13. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact Tim Fuhs at 805-781-5912).

AQ-3 **Geologic Evaluation.** Prior to initiation of ground-disturbing activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb NOA, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 **Naturally Occurring Asbestos Control Measures.** If NOA are determined to be present onsite, proposed earthwork, demolition, and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
3. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

AQ-5 **Asbestos-Containing Material.** Prior to issuance of demolition permits, the applicant shall provide an asbestos report that was prepared by a certified asbestos consultant. If ACM are determined to be present, at least 10 working days prior to any demolition work the applicant shall provide notification to SLOAPCD of such work. The notification shall include an asbestos report that was prepared by a certified asbestos consultant. ACM removal and disposal shall follow the requirements of the National Emission Standards for Hazardous Air Pollutants Regulation (NESHAP) Subpart M and of the SLOAPCD.

Monitoring Program: These measures shall be incorporated onto Final Map and project grading / building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the SLOAPCD, as necessary.

Biological Resources

BIO-1 **Implement a Rare Plant Mitigation Program that ensures no net loss of Cambria morning glory on the project site.** Prior to any tract improvements**,** a Rare Plant Mitigation Program shall be implemented for Cambria morning glory and shall be overseen by a qualified botanist approved by the City. As a component of the program, seed shall be collected from Cambria morning glory plants during the appropriate season prior to tract grading activities. Using standard procedures, the qualified botanist shall clean and store the seeds until the receiving sites shown on the project plans are ready. Suitable habitat of 2,180 square-feet in size outside of the development area (as designated on the site plans in the creek setback zone) shall be designated as the mitigation site that will be maintained in a natural state and not be subject to mowing earlier than June 1 each year. The areas will be maintained as grassland habitat and no planting of ornamental species or other adverse modifications (such as grazing activities) will be allowed. The mitigation site shown on the project plans is twice the size as the areas currently occupied by the rare plant occurrences (2,180 square-feet of habitat created for 1,076 square-feet of habitat impacted). This equates to a 2:1 mitigation ratio (habitat created to habitat impacted) to ensure a minimum 1:1 replacement ratio is achieved. Topsoil from each of the four occurrences will be collected in 6-inch lifts and stored for top-dressing the mitigation site once grading of the pads is complete. As needed, the mitigation site should be prepared for planting by removal of non-native species or other measures as necessary, then applying the salvaged topsoil. Once topsoil has been layered evenly through the area, collected seed should be hand-broadcasted into suitable locations by the qualified botanist and covered with compost. Seed may also be incorporated into the native erosion control seed mix described in the Native Erosion Control Seed Mix table under Mitigation Measure BIO-9 and applied to other grassy areas of the site as part of the erosion control effort. Depending on the season when construction starts, the qualified botanist may also potentially salvage plants (i.e., dig them up when soils are moist) and transplant them to containers to be maintained until the mitigation sites are ready for planting.

BIO-2 **Conduct annual monitoring and implement adaptive management measures for 5 years to ensure no net loss of Cambria morning glory onsite.** The Rare Plant Mitigation Program shall include annual monitoring and maintenance of the mitigation site to ensure success of the program. Monitoring by a qualified botanist shall occur during the spring growing season (between April 15 and May 15 each year) to ensure successful establishment of planted propagules. The established rare plants shall be mapped to evaluate the goal of no net loss of the species onsite. The measurable objective shall be to have at least 1,076 sf of occurrence comprised of approximately 300 Cambria morning glory plants. Appropriate vegetation sampling techniques shall be used to assess the areal cover of vegetation to evaluate the status of the established occurrences. If the success criteria of having approximately 300 plants covering 1,076 sf within the creek setback zone is not reached by the third year of monitoring, remedial actions such as collecting more seed and distributing it in suitable areas should be employed, with a corresponding additional year of monitoring. Other activities to increase the success of the rare plant mitigation effort could include non-native plant species removal within the mitigation site to reduce competition, additional seed application, or supplemental irrigation during periods of prolonged drought. The qualified botanist shall prepare annual reports for the applicant detailing the methods and results of the mitigation effort and monitoring effort. The applicant shall be responsible for submitting the report to the City on an annual basis (by December 31 of each year) for the 5-year monitoring period or until the final success criteria described above are met.

BIO-3 **To the extent feasible, avoid initial site grading in the winter months.** The burrowing owl has been recorded in the vicinity of the project from October to the end of April. If initial vegetation removal and site grading for the tract improvements is conducted outside of this period, potential effects on this species would be avoided and no further mitigation would be required. Restricting the time period for earth-moving activities is also required to avoid or minimize the potential for erosion and sedimentation (see Mitigation Measure BIO-9). If initial grading work must commence during the time period that burrowing owls may be present onsite, preconstruction surveys for this species shall be included in the survey effort described in Mitigation Measure BIO-4 prior to vegetation removal or tract improvements.

BIO-4 **Conduct a preconstruction survey and avoid construction in areas occupied by special-status wildlife species until relocated or they have left the site. Within 7 days prior** to the start of vegetation/tree removal, ground-disturbing activities, or demolition of existing structures, a biologist approved by the City shall survey the project impact area to identify whether nesting birds, roosting bats, monarch butterfly overwintering populations, obscure bumble bee, and/or California legless lizard are present on site. A separate survey shall be conducted for any phase of the project not conducted concurrently or within 10 days of cessation of the previous phase (i.e., structure demolition conducted prior to general site grading). The biologist shall use appropriate survey techniques for the special-status species identified in the 2020 BRA as having potential to occur onsite. For example, burrows shall be examined with binoculars or wildlife cameras, and inspected for whitewash or prey remains. Leaf litter and cover objects shall be searched for northern California legless lizards. Potential bat roost sites shall be inspected for sign of roosting bats such as guano or prey remains. If any of these species are found onsite, the biologist shall coordinate with the City, and CDFW as appropriate, on methods to ensure the successful relocation of individuals to suitable habitat nearby. In some cases, CDFW may recommend creating structures for displaced woodrats and bats. Burrowing owls can be discouraged from using burrows onsite, or occupied burrows can be avoided until the owls have left the area. Bats can be restricted from roost sites by placing netting over their entrances after they have left the roost for night-time foraging. The wildlife protection measures to be employed will be based on the results of the survey and the particular characteristics of their use of the site, in coordination with CDFW and the construction engineer. If no special-status animal species are found onsite during the preconstruction survey, work may proceed with the implementation of the following Mitigation Measures BIO-5 through BIO-7.

BIO-5 **Prepare and present a Worker Environmental Awareness Program.** Prior to any vegetation removal or tract improvements**,** a qualified biologist shall prepare a Worker Environmental Awareness Program that will be presented to all project personnel. This program shall detail measures to avoid and minimize impacts on biological resources. It shall include a description of special-status species potentially occurring on the project site and their natural history, the status of the species and their protection under environmental laws and regulations, and the penalties for take. Recommendations shall be given as to actions to avoid take should a special-status species be found on the project site. Other aspects of the training shall include a description of general measures to protect wildlife, including:

4. Delineation of the allowable work area, staging areas, access points, and limits to vehicle access;
5. Storage of all pipes, metal tubing, or similar materials stored or stacked on the project site for one or more overnight periods shall be either securely capped before storage or thoroughly inspected for wildlife before the materials are moved, buried, capped, or otherwise used.
6. Inspection of materials stored onsite, such as lumber, plywood, and rolls of silt fence, for wildlife that may have sheltered under or within the materials;
7. Use of netting to exclude birds from nesting in construction materials;
8. Construction of escape ramps in all excavations and trenches more than 6 inches deep;
9. Contact information for the City-approved biologist and instructions should any wildlife species be detected in the work site;
10. Dust suppression methods during construction activities when necessary to meet air quality standards and protect biological resources; and
11. Methods for containment of food-related trash items (e.g., wrappers, cans, bottles, food scraps), small construction debris (e.g., nails, bits of metal and plastic), and other human generated debris (e.g., cigarette butts) in animal-proof containers and removal from the site on a weekly basis.

All project personnel who have attended the training shall sign an attendance sheet. The program shall be repeated for any new crews that arrive subsequently on the site.

BIO-6 **Install high-visibility construction and silt fence along the creek corridor to delineate the allowable work area, exclude wildlife from the site, and protect the stream habitat.** Prior to vegetation removal or tract improvements, and during subsequent residential development for Lots 1-7, a high-visibility construction fence at least 4 feet tall together with a silt fence, or an approved wildlife exclusion fence, shall be erected along the

creek corridor to delineate the limits of grading and vehicle access. If possible, the fence shall be erected along the creek setback line, and encroachment into the setback shall be kept at a minimum. In no case shall ground disturbance occur within the riparian habitat or below the top of bank without obtaining proper permits from regulatory agencies. The type of fence used may be a combination of wildlife exclusion and silt fence (i.e., ERTEC Triple-function E-fence) or similar materials that would serve the purposes of safety/construction area delineation, wildlife exclusion, and siltation prevention. The fence shall be checked weekly by construction personnel for needed maintenance**.**

BIO-7 **Conduct biological monitoring for special-status wildlife species while the property is cleared and graded, and structures are removed.** A qualified biologist shall monitor the removal of structures, materials, and vegetation that may provide cover for obscure bumble bee, northern California legless lizards, and bat roosting sites. The biologist shall be onsite daily until all materials are removed and all vegetation has been cleared. If any special-status species are found, work shall be delayed until the individuals have left the work area or CDFW shall be notified to obtain authorization for capture and relocation.

BIO-8 **Avoid vegetation removal within the riparian habitat during the overwintering season**. Vegetation removal within the riparian area shall be conducted outside of the overwintering season for monarch butterfly (late October through February) and obscure bumble bee (late October through January) to avoid disturbance to species potentially inhabiting riparian vegetation.

BIO-9 **Install erosion and sediment BMPs and revegetate graded areas.** The following erosion and sedimentation control BMPs are required to be implemented during vegetation removal, tract improvements, during individual lot construction, and after the construction phases of the project:

12. If possible, the potential for erosion and sedimentation shall be minimized by scheduling construction to occur outside of the rainy season, which is typically defined as October 15 through April 15. Adherence to this measure would also serve as avoidance for the burrowing owl, as described in Mitigation Measure BIO-3.
13. To minimize site disturbance, all construction related equipment shall be restricted to established roads, construction areas, and other designated staging areas. The creek setback zone shall be clearly marked as described in Mitigation Measure BIO-6.
14. Prior to any site disturbance during tract improvements or individual lot construction, a Sediment and Erosion Control Plan shall be prepared by a qualified engineer. The use of silt fence, straw wattles, erosion control blankets, straw bales, sandbags, fiber rolls, and other appropriate techniques should be employed to protect the drainage features on and off the property. Biotechnical approaches using native vegetation shall be used as feasible. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection BMPs installed to prevent erosion potential. All sediment and erosion control measures shall be installed per the engineer's requirements prior to the initiation of site grading if planned to occur within the rainy season.
15. Spill kits shall be maintained on the site, and a Spill Response Plan shall be in place.
16. No vehicles or equipment shall be refueled within 100 feet of wetland areas, riparian habitat and/or drainage features, and refueling areas shall have a spill containment system installed. No vehicles or construction equipment shall be stored overnight within 100 feet of these areas unless drip pans or ground covers are used. All equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Construction staging areas shall be located in a location where spills would not drain into aquatic habitats.
17. No concrete washout shall be conducted on the site outside of an appropriate containment system. Washing of equipment, tools, etc. should not be allowed in any location where the tainted water could enter onsite drainages.
18. The use of chemicals, fuels, lubricants, or biocides shall be in compliance with all local, state, and federal regulations. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation.

19. All project-related spills of hazardous materials within or adjacent to the project site should be cleaned up immediately.

20. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection BMPs installed to prevent erosion potential. Silt fencing, erosion control blankets, straw bales, sandbags, fiber rolls, and/or other types of materials prescribed on the plan shall be implemented to prevent erosion and sedimentation. Biotechnical approaches using native vegetation shall be used as feasible.

21. Areas with disturbed soils shall be restored under the direction of the project engineer in consultation with a qualified restoration ecologist as detailed above. Methods may include recontouring graded areas to blend in with existing natural contours, covering the areas with salvaged topsoil containing native seedbank from the site, and/or applying the native seed mix as described in the table below. Native seed mix shall be applied to the graded areas in the creek setback area through either direct hand seeding or hydroseeding methods. Seeding with the native erosion control seed mix should be provided on all disturbed soil areas prior to the onset of the rainy season (by October 15).

Native Erosion Control Seed Mix

Species	Application Rate (lbs/acre)
California Brome (*Bromus carinatus*)	10
purple needlegrass (*Stipa pulchra*)	5
tomcat clover (*Trifolium wildenovii*)	5
six weeks fescue (*Vulpia microstachys*)	5
Total	**25**

BIO-10 **Obtain necessary permits for impacts in jurisdictional areas, implement a compensatory mitigation program, and monitor the success of the program to ensure no net loss of Riparian/Wetland habitat or other waters on the subject property.** Prior to any vegetation removal or site disturbance within the areas delineated as jurisdictional features (Figure 5, Aquatic Resources Delineation 2021), the applicant shall provide documentation to the City that a Clean Water Act Section 404 Permit from USACE, a Clean Water Act Section 401 Water Quality Certification from RWQCB, and a California Fish and Game Code Section 1602 Lake and Streambed Alteration Agreement from CDFW have been obtained or have been determined by the regulatory agencies to not be required.

~~If regulatory permits are required,~~ ***P***rior to the initiation of vegetation removal or tract improvements, the applicant shall retain a qualified biological monitor to ensure compliance with all Clean Water Act, ***, City of San Luis Obispo stormwater and water quality requirements,*** and CDFW permit requirements during work adjacent to the creek. The monitor shall be present during the installation of the construction fencing delineating the limits of work in relation to the edge of riparian, creek top of bank, and 20-foot creek setback buffer, as described in Mitigation Measure BIO-6. Since the Cambria morning glory compensatory mitigation site is to be located within this buffer, the monitor shall direct appropriate wildlife exclusion and erosion control BMPs to protect riparian habitat during site preparation for planting. The monitor shall be present during construction of the rip rap pad and any other work within the creek setback area on stormwater structures. The monitor shall also oversee removal of non-native tree species and site preparation for tree planting within the setback. If a Habitat Mitigation and Monitoring Plan (HMMP) is required by the regulatory agencies, the applicant shall provide a copy of the plan to the City and the biological monitor shall be responsible for successful implementation of the plan.

BIO-11 **Record a Biological Easement and Biological Easement Agreement protecting riparian area:** A Biological Easement and Biological Easement Agreement shall be recorded in conjunction with the final map recordation. The easement agreement shall be developed by the applicant in a format provided by the City. The following activities are permitted within the biological easement, subject to the review and approval by the City Sustainability and Natural Resources Official:

22. Stormwater improvements.

23. Removal of non-native trees.
24. Restoration and creek bank stabilization activities.

No future paving or structures shall be permitted within the biological easement. Creek setback standards shall be applied to the easement area, consistent with municipal code requirements.

Monitoring Program: These conditions and measures shall be noted on Final Map and all grading and construction plans. The City Community Development Department and Natural Resources Manager shall verify compliance.

Cultural Resources

CR-1 **Discovery of Previously Unidentified Cultural Resources.** In the event that historical or archaeological remains are discovered during ground-disturbing activities associated with the project, an immediate halt work order shall be issued, and the City Community Development Director shall be notified. A qualified archaeologist shall conduct an assessment of the resources and formulate proper mitigation measures, if necessary. After the find has been appropriately mitigated, work in the area may resume. These requirements shall be noted on the project's final map and all improvement/construction plans.

CR-2 **Discovery of Human Remains.** In the event that human remains are exposed during ground-disturbing activities associated with the project, an immediate halt work order shall be issued, and the City Community Development Director shall be notified. California Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. These requirements shall be noted on the project's final map and all improvement/construction plans.

Monitoring Program: These conditions shall be noted on Final Map and all grading and construction plans. The City Community Development Department shall verify compliance, including preparation and implementation of the Monitoring Plan, and review and approval of cultural resources monitoring reports documenting compliance with required Mitigation Measures.

Noise

N-1 For the entire duration of the construction phase of the project, the following BMPs shall be adhered to:

1. Stationary construction equipment that generates noise that exceeds 60 dBA at the project boundaries shall be shielded with the most modern noise control devises (i.e., mufflers, lagging, and/or motor enclosures).
2. Impact tools (e.g., jack hammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools.
3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.
4. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).

N-2 Construction plans shall note construction hours, truck routes, and all construction noise BMP, and shall be reviewed and approved by the City Community Development Department prior to issuance of grading/building permits. The City shall provide and post signs stating these restrictions at construction entry sites prior to commencement of construction and maintained throughout the construction phase of the project. All construction

workers shall be briefed at a preconstruction meeting on construction hour limitations and how, why, and where BMP measures are to be implemented.

Monitoring Program: These measures shall be incorporated into Final Map and project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections. Tribal Cultural Resources

TC-1 **Culturally Affiliated Native American Monitor.** A representative from the Salinan Tribe shall be notified prior to any ground disturbing activities to provide for on-site monitoring. If cultural resources are encountered during subsurface earthwork activities, all ground disturbing activities within a 25-foot radius of the find shall cease and the City shall be notified immediately consistent with the requirements of Mitigation Measures CR-1 and CR-2.

Monitoring Program: These measures shall be incorporated into Final Map and project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections.

Wildfire

WF-1 **Vegetation/Fuel Management Plan.** Prior to issuance of any construction permit, the applicant shall provide a vegetation/fuel management plan prepared by a registered professional forester or certified arborist for each lot. The plan shall identify fuel load reduction techniques, including vegetation removal and trimming, to increase defensible space around residential structures and driveways/access roads. The plan shall also identify appropriate standards for installation of new landscaping, such as requirements for drought-tolerant and fire-resistant species.

WF-2 **Additional Fire Hazard Reductions.** Future development would incorporate the following fire reduction methods identified by the 2020 Wildland Fire Protection Report (Neumann)to reduce wildland fire risk:

1. Rain gutters, when not adequately maintained, will collect leaf material which becomes a receptive fuel bed for embers and sparks and can then transmit fire underneath the non-combustible roof materials. Rain gutters should be protected by noncombustible leaf shields or not allowed.
2. Record on all lots a deed restriction that allows for only non-combustible fences and decks in the subdivision.
3. Record on all lots a deed restriction that allows for fire resistant landscaping in the back yards of the subdivision.
4. Require enclosed eves on all structures within the subdivision.
5. Install fireproof vents on all structures (fire-rated, flame and ember resistant).
6. Working with the biologist, remove the non-native vegetation in the creek, riparian area,
7. reduce the fuel load.
8. Install a non-combustible wall (block or steel stud /stucco) wall 36 inches in height all around the northern perimeter of the subdivision. The wall shall begin at the westernmost property line and continue to the 20-foot setback at the west side of the creek, and shall continue beginning at the 20-foot setback at the east side of the creek, terminating at the property line of CAL FIRE Station #12. The purpose of this wall is to interrupt fire progression from the north onto the proposed lots without obstructing the very desirable view of the open space.

Monitoring Program: This measure shall be incorporated into Final Map and noted on all grading and construction plans. The City Community Development Department shall verify compliance through initial and regular inspections.